



FEDERAL ELECTION COMMISSION

Washington, DC 20463

DATE & TIME OF TRANSMITTAL: Wednesday, July 14, 2010, 11:00

BALLOT DEADLINE: Friday, July 16, 2010 4:00

COMMISSIONER: BAUERLY, HUNTER, MCGAHN, PETERSEN, WALTHER, WEINTRAUB

SUBJECT: **Announcement of Effective Date of Travel Rules
for Certain Presidential Candidates
Memorandum to the Commission
dated July 13, 2010**

- () I approve the recommendation(s).
- () I object to the recommendation(s).
- () I am recused from voting.
- () No vote by ballot.

COMMENTS: _____

DATE: _____ SIGNATURE: _____

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION



FEDERAL ELECTION COMMISSION
Washington, DC 20463

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

2010 JUL 13 P 5:18

MEMORANDUM

TO: The Commission

JUL 13 2010

FROM: Thomasenia P. Duncan *JPD*
General Counsel

Rosemary C. Smith *RCS*
Associate General Counsel

Amy L. Rothstein *ALR*
Assistant General Counsel

Joshua S. Blume *JSB*
Attorney

SUBJECT: Announcement of Effective Date of Travel Rules for Certain Presidential Candidates

Attached is a draft Announcement of Effective Date for the amendments to the candidate travel rules at 11 CFR 9004.6 and 9004.7. We request that this document be circulated for a 48-hour tally vote.

Attachment

1 **FEDERAL ELECTION COMMISSION**

2 **11 CFR Part 9004**

3 [Notice 2010-]

4 **Campaign Travel**

5 **AGENCY:** Federal Election Commission.

6 **ACTION:** Announcement of Effective Date.

7 **SUMMARY:** On December 7, 2009, the Commission published in the Federal
8 Register final rules implementing the provision of the Honest
9 Leadership and Open Government Act governing campaign travel
10 on noncommercial aircraft. This Notice announces the effective
11 date of amendments made by those final rules to Commission
12 regulations pertaining to travel by and on behalf of publicly funded
13 presidential candidates at 11 CFR 9004.6 and 9004.7.

14 **EFFECTIVE**
15 **DATE:** The effective date for the revisions to 11 CFR 9004.6 and 9004.7 is
16 [INSERT DATE OF PUBLICATION IN THE FEDERAL
17 REGISTER].

18 **FOR FURTHER**
19 **INFORMATION**
20 **CONTACT:** Ms. Amy L. Rothstein, Assistant General Counsel, or Mr. Joshua
21 S. Blume or Ms. Joanna S. Waldstreicher, Attorneys, 999 E Street
22 NW., Washington, DC 20463, (202) 694-1650 or (800) 424-9530.

1 **SUPPLEMENTARY**

2 **INFORMATION:**

On December 7, 2009, the Commission published final

3 rules governing campaign travel on noncommercial aircraft, to implement section 601 of
4 the Honest Leadership and Open Government Act of 2007. See Final Rules on Campaign
5 Travel, 74 FR 63951 (Dec. 7, 2009) (the “Travel Rules”); P.L. 110-81, 121 Stat. 735
6 (codified at 2 U.S.C. 439a(c)). The Travel Rules restrict, and in some situations prohibit,
7 Federal candidates and certain political committees from expending campaign funds for
8 travel on non-commercial aircraft. The Travel Rules also revised Commission
9 regulations regarding travel by and on behalf of presidential candidates receiving public
10 funding for the general election, 11 CFR 9004.6 and 9004.7, promulgated pursuant to the
11 Presidential Election Campaign Fund Act, 26 U.S.C. 9001, et seq.

12 Under the Administrative Procedure Act, 5 U.S.C. 553(d), and the Congressional
13 Review of Agency Rulemaking Act, 5 U.S.C. 801(a)(1), agencies must submit final rules
14 to the Speaker of the House of Representatives and the President of the Senate, and
15 publish them in the Federal Register at least thirty calendar days before they take effect.

16 In addition, any rules or regulations prescribed by the Commission to carry out the
17 provisions of the Presidential Election Campaign Fund Act must be transmitted to the
18 Speaker of the House of Representatives and the President of the Senate at least thirty
19 legislative days before they are finally promulgated. 26 U.S.C. 9009(c). The thirty
20 legislative day period that began when the Travel Rules were transmitted to Congress
21 ended on February 1, 2010.

22 In the Travel Rules, the Commission stated that it would publish a separate notice

23

1 announcing the effective date of the amendments to 11 CFR 9004.6 and 9004.7 at a later
2 date. 74 FR 63951. Through this Notice, the Commission announces that the effective
3 date of the amendments to 11 CFR 9004.6 and 9004.7 is the date on which this notice is
4 published in the Federal Register.

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On behalf of the Commission,

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Matthew S. Petersen

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Chairman

12

Federal Election Commission

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DATED _____

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BILLING CODE: 6715-01-U