Presentation for the Federal Depository Library Program

The FEC and Federal Campaign Finance Law

October 7, 2020
2:00 p.m. Eastern
The FEC and Federal Campaign Finance Law

Presented by:
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FEC Information Division
Objectives

- Review historical background
- Provide overview of the Commission
- Discuss campaign finance laws
- Highlight FEC resources
- Answer your questions
The Federal Election Commission (FEC) is the independent regulatory agency charged with administering and enforcing the federal campaign finance laws. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, and Presidency.
Federal Election Commission

Our mission is to protect the integrity of the federal campaign process by providing transparency, enforcing contribution restrictions, and fairly administering the Federal Election Campaign Act and related statutes.
Historical Background

- 1867 Naval Appropriations Bill
- 1907 Tillman Act
- 1925 Federal Corrupt Practices Act
- 1939 Hatch Act
- 1947 Taft Hartley Act
Historical Background

- Limit contribution amounts
- Restrict sources
- Control campaign spending
- Require public disclosure

These laws were largely ignored
Historical Background

- **Federal Election Campaign Act (FECA) - 1971**
  - Imposed full reporting requirements
  - Limited spending on advertising
  - Allowed separate segregated funds

- **Revenue Act of 1971**
  - Public funding of Presidential elections
Historical Background

- **Federal Election Campaign Act (FECA) - 1974**
  - Federal Election Commission
    - Enforce campaign finance laws
    - Write campaign finance regulations
    - Monitor compliance with FECA
The Commission

- Six Commissioners
  - Presidential Appointees
  - Six year terms
  - No more than three from same party

- Public Meetings

- Executive Sessions
The Commission

Current

James E. "Trey" Trainor III
Chair
Republican

Steven T. Walther
Vice Chair
Independent

Ellen L. Weintraub
Democrat

Vacant seat

Vacant seat

Vacant seat

Vacant seat
The Commission

Original FEC headquarters at 1325 K Street, NW

1975:
124 employees
Budget: $6.25 M
The Commission

Current FEC headquarters at 1050 First Street, NE

2020:
330 employees
Budget: $70 M
U.S. Elections

Voting

Financing
U.S. Elections

State/Local

Financing
U.S. Elections

State/Local

FEC
U.S. Elections

Money in Politics

- $8.6 billion spent on 2016 election
- $8.8 billion spent on 2018 election
- $9.5 billion spent on 2020 election through June
U.S. Elections

2019/2020 American Spending on:

- Waffle Day
- Halloween (2019)
- Elections (through June 2020)
- Super Bowl
- Valentines Day

(billions of dollars)

$0 $8.8 $9.5 $17.2 $27.4
FEC Mission

To protect the integrity of the federal campaign process by providing transparency, enforcing contribution restrictions, and fairly administering the FECA and related statutes

- Administering public funding
- Facilitating disclosure
- Clarifying the law
- Enforcing the law
Elements of the Current Law

- Contribution limits
- Prohibited sources
- Presidential public funding
- Public disclosure
## Contribution Limits

### Contribution limits for 2019-2020 federal elections

<table>
<thead>
<tr>
<th>Donor</th>
<th>Candidate committee</th>
<th>PAC† (SSF and nonconnected)</th>
<th>Party committee: state/district/local</th>
<th>Party committee: national</th>
<th>Additional national party committee accounts‡</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td>$2,800* per election</td>
<td>$5,000 per year</td>
<td>$10,000 per year (combined)</td>
<td>$35,500* per year</td>
<td>$106,500* per account, per year</td>
</tr>
<tr>
<td>Candidate committee</td>
<td>$2,000 per election</td>
<td>$5,000 per year</td>
<td>Unlimited transfers</td>
<td>Unlimited transfers</td>
<td></td>
</tr>
<tr>
<td>PAC: multicandidate</td>
<td>$5,000 per election</td>
<td>$5,000 per year</td>
<td>$5,000 per year (combined)</td>
<td>$15,000 per year</td>
<td>$45,000 per account, per year</td>
</tr>
<tr>
<td>PAC: nonmulticandidate</td>
<td>$2,800* per election</td>
<td>$5,000 per year</td>
<td>$10,000 per year (combined)</td>
<td>$35,500* per year</td>
<td>$106,500* per account, per year</td>
</tr>
<tr>
<td>Party committee: state/district/local</td>
<td>$5,000 per election (combined)</td>
<td>$5,000 per year (combined)</td>
<td>Unlimited transfers</td>
<td>Unlimited transfers</td>
<td></td>
</tr>
<tr>
<td>Party committee: national</td>
<td>$5,000 per election**</td>
<td>$5,000 per year</td>
<td>Unlimited transfers</td>
<td>Unlimited transfers</td>
<td></td>
</tr>
</tbody>
</table>
Prohibitions

- Prohibited from contributing to campaigns
  - Corporations
  - Labor organizations
  - Federal government contractors
  - Foreign nationals
  - Contributions in the name of another
  - Cash over $100
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Administering Public Funding

- Public grant to general election nominees
  - Major party nominees eligible for full grant:
    - 2016 Grant: $96.14 million
    - 2020 Grant: $103.7 million
  - Minor party nominees eligible for partial grant based on performance in previous election
  - Other nominees eligible for some post-election funding if they receive $\geq 5\%$ of vote
Administering Public Funding

Presidential Election Campaign

Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund. □ You □ Spouse
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Facilitating Disclosure

- Public access to disclosure reports
  - Reports publicly available ≤ 48 hours of agency’s receipt
  - Electronically-filed reports are available online almost immediately
  - Electronically registered committees are visible online the next day
  - FEC web site (www.fec.gov)
  - FEC Public Records Office
  - Reports reviewed for accuracy and compliance with law
Facilitating Disclosure - FEC.gov
Facilitating Disclosure - FEC.gov
Facilitating Disclosure - FEC.gov

Donald J. Trump For President, Inc.

Financial Summary

Two-Year Period: 2019-2020

Total Raised

Total Receipts: $408,045,024.23
Total Contributions: $205,605,668.25

Itemized Individual Contributions: $116,203,201.00
Unitemized Individual Contributions: $88,512,889.00
Party Committee Contributions: $0.00
Other Committee Contributions: $689,377.85
Presidential Public Funds: $0.00
Candidate Contributions: $0.00

Coverage Dates: 01/01/2019 to 08/31/2020

Browse Receipts
Facilitating Disclosure - FEC.gov

BIDEN FOR PRESIDENT

Financial summary

TWO-YEAR PERIOD
2018-2020

Total spent

$359,968,142.08

TOTAL DISBURSEMENTS
$352,094,197.97

OPERATING EXPENDITURES
$7,273,988.19
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- Administering public funding
- Facilitating disclosure
- Clarifying the law
- Enforcing the law
Clarifying the Law

- Regulations
- Advisory Opinions
  - Legal guidance in response to written inquiry
- Educational Outreach
  - Publications
  - Conferences and webinars
  - Toll-free telephone information
  - Online help and public email
Clarifying the Law – Reg’s & AOs

Regulations

As part of its role administering campaign finance law, the Commission issues regulations, which are published every year in Title 11 of the Code of Federal Regulations (CFR).

This archive contains 11 CFR and other public materials related to regulations.

11 CFR

Changes to be included in the 2021 printed edition:


Other Formats

- 11 CFR (PDF)
- 11 CFR (XML)
Clarifying the Law – Reg’s & AOs

Advisory opinions

Advisory opinions are official Commission responses to questions about how federal campaign finance law applies to specific, factual situations.

This archive contains advisory opinions from 1972 to the present. It also contains documents related to advisory opinions — such as requests, drafts and public comments — from 1990 to the present.

Search advisory opinions

FIND BY AO NUMBER
SEARCH BY KEYWORD

Example: 2013-39
Example: charity, “spending prohibitions”
Clarifying the Law - Legal Resources

- Advisory Opinions
- Regulations
- Enforcement actions
- Statutes
- Legislation
- Court cases
- Audits
- Policy and other guidance
Clarifying the Law - Publications

Campaign Guide Series:

- Congressional Candidates and Committees
- Political Party Committees
- Nonconnected Committees
- Corporations and Labor Organizations
Help for candidates and committees

Learn more about how individuals and groups can be active in federal elections and the requirements that apply to them.

Guides

- Candidates and their authorized committees
- Political party committees
- Corporations and labor organizations
- Political action committees (PACs)
- Other filers

Popular topics
Understanding ways to support federal candidates

Many activities that support or oppose candidates for federal office are subject to the federal campaign finance law. This page provides information on the law for citizens who want to support or oppose federal candidates.

READ NEXT
- Introduction to campaign finance and elections
- How to research public records
- Election and voting information
- Election Day information
Clarifying the Law – Videos
FEC Mission

To protect the integrity of the federal campaign process by providing transparency, enforcing contribution restrictions, and fairly administering the FECA and related statutes

- Administering public funding
- Facilitating disclosure
- Clarifying the law
- Enforcing the law
The FEC has exclusive jurisdiction over the civil enforcement of the federal campaign finance law.

- Administrative Fine Program
- Alternative Dispute Resolution
- Audits
- Monetary penalties
- Matters Under Review (MURs)
https://www.fec.gov
Any Questions?