

BCRA Rulemaking at the FEC

December 2002

Since the Bipartisan Campaign Reform Act of 2002 became law on March 27, 2002, the Federal Election Commission has been working, under statutory mandates, to issue regulations regarding the operation of the new law. The FEC has finalized rules in many of the areas, but several areas, including coordination, remain unresolved.

Completed Rulemakings

The final rules that have been issued, and the websites on which they can be found, are as follows:

- Prohibited and Excessive Contributions: Non-Federal Funds or Soft Money; final rules published on July 29, 2002 with an effective date of November 6, 2002, available at http://www.fec.gov/pdf/nprm/soft_money_nprm/fr67n145p49063.pdf.
- Electioneering Communications; final rules published on October 23, 2002 with an effective date of November 22, 2002, available at http://www.fec.gov/pdf/nprm/electioneering_comm/fr67n205p65189.pdf.
- Contribution Limitations and Prohibitions; final rules published on November 19, 2002 with an effective date of January 1, 2003, available at http://www.fec.gov/pdf/nprm/contribution_lim_pro/fr67n223p69927.pdf.
- Disclaimers, Fraudulent Solicitations, Civil Penalties and Personal Use of Campaign Funds; approved by the FEC on November 25, 2002 (The final rule has not been published in the Federal Register).
- Coordinated and Independent Expenditures; Notice of Proposed Rulemaking (NPRM) of September 24, 2002 available at http://www.fec.gov/pdf/nprm/coord_and_ind_expenditures/fr67n185p60041.pdf (The final rules were approved on

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December 5, 2002 and are not yet available online).

- Consolidated Reporting; NPRM of October 21, 2002 available at http://www.fec.gov/pdf/nprm/consolidated_reporting/fr67n203p64555.pdf. (The final rules were approved on December 12, 2002 and are not yet available online).

Pending Rulemakings

The following rulemaking proceeding is ongoing at the FEC:

- Leadership PACs; NPRM of December 12, 2002; (The NPRM has not yet been published in the Federal Register.)

Upcoming Rulemakings

The following rulemaking proceeding is planned by the FEC:

- Millionaire's Amendment; an interim final rule is to be published on December 19, 2002 according to the FEC's Rulemaking Calendar (rev. 7/17/02).