

FEDERAL ELECTION COMMISSION		
MANUAL OF DIRECTIVES	COMMISSION DIRECTIVE	
	REVOKES: Number 23 Dated June 20, 2007	NO. 23
		EFFECTIVE DATE: October 2, 2019
GENERAL ELECTION CERTIFICATION PROCEDURES		

The following procedures set forth the payment mechanism for general election candidates entitled to receive payments under 26 U.S.C. § 9004.

The time deadlines set forth in this Directive, except for any specified by the Commission's regulations, are guidelines for internal use only. They are not legally binding requirements.

General Election Candidates

To become eligible to receive payments under 26 U.S.C. § 9006(b), the Presidential and Vice Presidential candidates of a political party must agree in a letter signed by the candidates that they and their authorized committees will comply with conditions set forth in 26 U.S.C. § 9003(a) and (b) and 11 C.F.R. §§ 9003.1(b) and 9003.2. Suggested formats for the agreements and certification are in the Appendix and on the Commission's website.

Within one (1) business day of submission of the agreement to the Commission, the Audit Division and the Office of General Counsel will concurrently review it for compliance with 11 C.F.R. §§ 9003.1(b) and 9003.2. The Audit Division will attempt to informally resolve any problems with the candidates. If this cannot be accomplished within five (5) business days of receipt of the agreement, the matter will be presented to the Commission for its next regularly scheduled open meeting along with recommendations on how the candidates can be brought into compliance with §§ 9003.1(b) and 9003.2. If the agreement, as submitted, meets the requirements of the Act and Commission regulations, the Audit Division will present a report to the Commission within two (2) business days of receipt of the agreement and certification from the candidates stating that the candidates are eligible to receive a payment under 26 U.S.C. § 9006(b), and setting forth the amount that the candidates are eligible to receive. Once the Commission certifies the payment, the Audit Division will deliver the certification to the Secretary of the Treasury within one (1) business day.

This Directive was adopted on October 2, 2019.


 Alec Palmer
 Staff Director

Appendix
Sample Letter of Agreement from Presidential and Vice Presidential Candidates to
Qualify for Public Financing of their General Election Campaign

Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Dear Commissioners:

Pursuant to 26 U.S.C § 9003 and 11 C.F.R. § 9003.1, this Letter Agreement certifies that as the nominees of the National Party for President and Vice President, we and our authorized committees (collectively “we” or “us”) agree to comply with the following provisions set forth in 11 C.F.R. § 9003.1(b):

- (1) We have the burden of proving that disbursements made by us are qualified campaign expenses as defined in 11 C.F.R. § 9002.11.
- (2) We will comply with the documentation requirements set forth at 11 C.F.R. § 9003.5.
- (3) We will provide an explanation, in addition to complying with the documentation requirements, of the connection between any disbursements made by us and the campaign if requested by the Commission.
- (4) We will keep and furnish to the Commission all documentation relating to receipts and disbursements including any books, records (including bank records for all accounts), all documentation required by this subchapter (including those required to be maintained under 11 C.F.R. § 9003.5), and other information that the Commission may request. If we maintain or use computerized information containing any of the categories of data listed in 11 C.F.R. § 9003.6(a), we will provide magnetic or optical media containing the computerized information that meets the requirements of 11 C.F.R. § 9003.6(b) at the times specified in 11 C.F.R. § 9007.1(b)(1). Upon request, documentation explaining the computer system's software capabilities will be provided, and such personnel as are necessary to explain the operation of the computer system's software and the computerized information prepared or maintained by us will also be made available.
- (5) We will obtain and furnish to the Commission upon request all documentation relating to funds received and disbursements made on our behalf by other political committees and organizations associated with us.
- (6) We will permit an audit and examination pursuant to 11 C.F.R. part 9007 of all receipts and disbursements including those made by us and any agent or person authorized to make expenditures on our behalf. We will facilitate the audit by making available in one central location, office space, records and such personnel as are necessary to conduct the audit and examination, and will pay any amounts

required under 11 C.F.R. part 9007.

- (7) Pursuant to 11 C.F.R. part 103 and 11 C.F.R. § 9005.2, the person listed below is entitled to receive payments from the Presidential Election Campaign Fund on our behalf.

Name
Mailing Address
City, State, ZIP

Such funds will be deposited into the listed depository:

Bank Name
Bank Address
City, State, ZIP

The account name is: Presidential Committee, 20xx

- (8) We will comply with the applicable requirements of 52 U.S.C. §§ 30101 et seq., 26 U.S.C. §§ 9001 et seq., and the Commission's regulations at 11 C.F.R. parts 100-300, and 9001-9012.
- (9) We will pay any civil penalties included in a conciliation agreement or otherwise imposed under 52 U.S.C. § 30109.
- (10) We agree that any television commercial prepared or distributed by us will contain closed captioning of the oral content of the commercial to be broadcast in line 21 of the vertical blanking interval, or be capable of being viewed by deaf and hearing impaired individuals via any comparable successor technology to line 21 of the vertical blanking interval.

Additionally, pursuant to 26 U.S.C. § 9003 and 11 C.F.R. § 9003.2, and under penalty of perjury, we certify that:

- (1) We have not incurred and will not incur qualified campaign expenses in excess of the aggregate payments to which we will be entitled under 11 C.F.R. part 9004;
- (2) No contributions have been or will be accepted by us except as contributions specifically solicited for, and deposited to, our legal and accounting compliance fund established under 11 C.F.R. § 9003.3(a); or except to the extent necessary to make up any deficiency in payments received from the Fund due to the application of 11 C.F.R. § 9005.2(b);

(3) That we will not knowingly make expenditures from our personal funds or the personal funds of our immediate family.

Signed:

Candidate for President

Date

Candidate for Vice President

Date