

Appendix

Enforcement Database Subject & Allegation Codes

In order to create the enforcement profile databases, data contained in Federal Election Commission press releases from April of 1989 to December of 1998 were coded detailing allegations contained in closed Matter Under Review compliance cases. Data were coded indicating the type of respondent, type of complainant, type of allegation, disposition of allegation, was an admonishment letter sent, was a penalty assessed, and how long did the Federal Election Commission take to resolve each allegation. The codes that were utilized to encode the data are detailed below with the code number placed to the left of the type of data.

Respondent type:

- (1) PAC/Fund
- (2) Individual
- (3) Corporation/Organization/Church/College/Foundation/Tribe
- (4) Candidate/National/Other Committee

Complainant Type:

- (1) FEC Initiated
- (2) Outside Individual, Committee, or Organization
- (3) Referral by Other Governmental Agency
- (4) Sua Sponte

Disposition:

- (1) Conciliation Agreement
- (2) Reason to Believe, but took no further action
- (3) Reason to Believe, "Knowing and Willful,"
but took no further action
- (4) Probable Cause to Believe, litigation initiated
- (5) Probable Cause to Believe, but took no further action
- (6) Took no action/not enough votes to act
- (7) No Reason to Believe/Failed to Find Reason to Believe
- (8) Declined to Open a MUR
- (10) No probable cause
- (11) Action Deferred/Took no further action
- (99) Unclear

Was an Admonishment Letter Sent?

- (1) Yes
- (2) No

Was a Civil Penalty Assessed or Awarded by a court? If so, how much?

- (0) No penalty
- (2) \$999 and under
- (3) \$1000 to \$4999
- (4) \$5000 to \$9999
- (5) \$10,000 to \$24,999
- (6) \$25,000 to \$49,999
- (7) \$50,000 and over

Length of Time in Months:

This Field notes how long it took to resolve the case in months. The open and close dates for the allegations were entered into a computer. The computer was then used to compute the number of months the agency took to close the matter under review containing that allegation.

Allegation Codes:

Data on allegations contained in Federal Election Commission press releases was first coded by individual allegation type. These are the codes that are found below in brackets. The "Consolidation Codes" that are found below were utilized to consolidate the individual allegations into collapsed allegation categories. This allowed researchers to make the data more manageable for the creation of the pre- and post-enforcement prioritization profiles of Federal Election Commission enforcement. The consolidation codes were utilized in the final database.

Corporate Contributions or Corporate Expenditures:

Consolidation Code 1

- (2) Corporate contributions/expenditures
 - Includes in-kind corporate contributions
 - Partnership contributions
 - Use of Corporate Facilities

**Contribution Limitation Violations/Excessive Contribution:
Consolidation Code 2**

- (2) Contribution Limit Violations/Excessive Contributions
- Includes excessive cash contributions
 - Includes use of conduit to evade excessive contribution limits

Contributions in the Names of Others: Consolidation Code 3

- (3) Contribution in the names of others

Exceeding \$25,000 Annual Contribution Limitation:

Consolidation Code 4

- (205) Exceeding the Maximum \$25,000 annual contribution limit

Contributions by Foreign Nationals:

Consolidation Code 5

- (13) Contributions by Foreign Nationals

Contributions by Minors:

Consolidation Code 6

- (392) Contributions by Minors

Use/Transfer of Non-Federal Funds/Assets:

Consolidation Code 7

- (5) Use/Transfer of Non-Federal Funds/Assets for Federal purposes

Other Contribution Violations/Prohibited Contributions:

Consolidation Code 8

- (14) Contributions by Unregistered Organizations/Committees
- (29) Excessive Honoraria or Excess Campaign Funds
- (34) Improper/Illegal Extension of Credit or Loan as a contribution.
- (40) Prohibited Contributions in General
- Includes a Loan as a contribution, cash contributions
 - Includes contributions by a national bank
 - Includes contributions by government contractors
 - Includes contributions by unions or state affiliates of unions.
- (388) Other allegations relating to contributions

Improper Use or Handling of Funds:

Consolidation Code 9

- (6) Personal Use of Campaign Funds
- (30) Improper use of Matching funds
- (50) Improper or Prohibited Disbursement or Use of Campaign Funds
- (5) Excessive transfers between a principal campaign committee and other.

(347) Commingling Federal Committee Funds with Union Funds

**Independent Expenditure Related Allegations:
Consolidation Code 10**

(41) Allegations relating to Independent Expenditures
and Express Advocacy

**Coordinated Expenditure Related Allegations:
Consolidation Code 11**

(43) Allegations relating to Coordinated Expenditures

**Allocation of Expenses:
Consolidation Code 12**

(376) Allocation of Expenses

**Other Expenditure, Billing, and Similar Allegations:
Consolidation Code 13**

- (32) Over Charging the Press and/or Secret Service
- (35) Prohibited Use of General Election Funds for Primary
Election
- (50) Improper or Prohibited Disbursement/Expenditure of
campaign funds
 - Includes cash disbursements
- (90) Expenditure without Treasurer knowing
 - Unauthorized/Misappropriated disbursement
or expenditure
- (210) Exceeded State Expenditure Limit
- (245) Expenditure for Party's General Election Candidate
without authorization of the national party.
- (246) Expenditures or Contribution using non-federal
or state funds
- (252) Exceeding Expenditure Limit
- (256) Spending in Excess of Candidate's spending limit

- (349) Failure to Make Advanced Payment for Corporate travel, aircraft, facilities
- (375) Improper or Unauthorized Expenditure in connection with a federal election
- (377) Exceeding State Expenditure Limits
- (389) Other expenditure/billing problems

Disclaimer Related Allegations:

Consolidation Code 14

- (4) Disclaimers

Advertising Related Allegations:

Consolidation Code 15

- (33) Equal time on television or radio
- (85) Improper Absentee Mailing
- (86) Distribution of Campaign Literature
- (91) Political Mailing, Newspaper Ad, Article, Flier, Government Publication Article Or other broadcast media that is illegal or flawed.

Reporting:

Consolidation Code 16

- (7) Failure to Register and File Disclosure/Statement
- (5) of Candidacy Report (Timely)
 - Includes failure to disclose/designate principal or connected campaign committee
 - Other Reporting violations.
 - (Note: This is the failure to file/register, not errors in filing/registering)

24-Hour Reports:

Consolidation Code 17

- (8) Failure to file 24-Hour Independent expenditure reports

48-Hour Reports:

Consolidation Code 18

- (9) Failure to file 48-Hour reports

General Disclosure Related Allegations

Consolidation Code: 19

- (10) Failure to follow other Disclosure/Reporting Requirements
 - Failure to disclose affiliated committees
 - Failure to properly file within reasonable time.
 - Failure to report contributions, debts, expenditures/disbursements properly
 - Failure to request contributor information, "Best Effort"
 - Failure to report contributions

- Failure to designate contributions
 - Submitted reports signed by someone other than treasurer
 - Failure to refund or obtain designation or attribution, timely
 - Failure to report joint contributions
 - Mis-reporting/Miscalculating in General
 - Failure to Change Treasurers
 - Failure to Retain, Furnish, and Preserve Records
 - Failure to Accurately Communicate Treasurer's Name, timely
 - Failure to Refund or obtain re-designation or attribution, timely
 - Illegible report
 - Mathematical discrepancies
 - Failure to include treasurer statement that funds will not be converted to personal use
 - Failure to designate campaign depository
 - Fail to report disposition of excess campaign cash
 - Report inaccurately reflects campaign obligations
 - Failure to correctly designate contributions as primary or general
 - Failure to report Earmarked Contribution
- (32) Failure to Provide Proper Notification to Contributors
- (344) Failure to File Independent Expenditure Report
- (390) Other Allegations related to problems of disclosure

Crimes/Theft/Fraud/Misrepresentation:

Consolidation Code: 20

- (255) Furnishing Fraudulent Info and Falsifying Information for Primary Matching Fund Certification.
- (272) Money Laundering
- (273) Theft (in general)
- (274) Fraud (in general), includes conspiracy to defraud the FEC, etc.
- (342) General Misrepresentations

Influence Related Allegations:

Consolidation Code 21

- (12) Influencing Federal Elections by churches, etc. or other organizations
- (19) Corporate Endorsement of a Federal Candidate
- (28) Activity by Voter Registration Groups
- (31) Misuse of Official Position
- (38) Improper Use of a Candidate or Organization's Name
- (42) Affiliation Problems
- (86) Distribution of Campaign Literature
- (379) Campaign Rally

- (380) Misrepresentation/Providing False Information
- (200) Partisan Communication Outside of Class
- (201) Illegal Use of State Office for Federal Election
- (343) Endorsement of Public Official by Public Servant
- (378) Improper Campaign Name

Committee Related Allegations:

Consolidation Code 22

- (37) Failure to Cooperate with an FEC Review
- (45) Failure to Deposit Receipts, Timely
- (381) Failure to Transfer out of Account/Refund
- (382) Failure to Maintain/Destruction of/Campaign Records
- (383) Expenditure without Treasurer's Knowledge
- (384) Commingling Federal Committee Funds with Union Funds
- (202) Improper Consolidation and Reporting of Loan
- (203) Inadequate Assets
- (240) Activity beyond the Scope of the principal
campaign Committee
- (242) Misrepresentation of Campaign Authority
- (300) Failure to Terminate Committee Properly
- (388) Other Allegations against Committees
- (30) Use of Matching Funds
- (385) Testing the Waters Activities
- (348) Problems related to joint fundraising

**Improper solicitations/corporate solicitations/facilitation
Consolidation Code 23**

(350) Improper solicitations/corporate
solicitations and facilitation

**The "Other Assorted Allegations" Category:
Consolidation Code 24**

(18) Unclear
(332) Confidentiality
(333) Failure to Forward Earmarked Contribution
(334) Information related to Earmarked contribution
(335) Commercial or Improper Use of Contributor Information
(335) Raising money from organizations and the like
(336) Failure to include a candidate in a debate
(337) Allegations related to campaign debts/loan repayment
(338) Failure to allocate expenses properly when combining
official and Political trips
(339) Using an office for campaign purposes
(339) Using a federal office or other governmental
facility/official resources/funds
(340) Failure to Make Advance Payment for Use of Corporate
aircraft, facilities, etc.
(341) Payroll Deduction Plan/Failure to Provide Dues check-
off system for union Personnel to contribute to PAC
(351) In-kind Contributions (Excessive or Failure to
Report/Disclose)
(391) Use of State/City/County/Parish Assets for campaign
(393) Raising Contributions after an Election
(599) Failure to Comply with a Conciliation Agreement
(600) Political Intimidation
(394) Raising/Receiving Soft Money for federal campaigns
(395) Issue Ads/Express Advocacy (combine with Independent
Expenditures)
(396) Failure to Reimburse Administrative Expense, timely
(398) Untimely reimbursement/refund of corporate contribution
(502) Failure to forward contribution
(503) Excess Funds (See Committee for duplicate code)
(504) Personal funds.