



To: Federal candidate campaigns
From: Larry Rouvelas, Vote Absentee Virginia
Date: April 23, 2020
Re: Federal in-kind contribution

A question has arisen about whether eAbsentee.org and Vote Absentee Virginia's work is considered an in-kind contribution to a federal campaign.

The answer is no. Its work falls under the "Internet volunteer activity" exemption established by the Federal Election Commission:

Internet volunteer activity

An uncompensated individual or group of uncompensated individuals may engage in certain voluntary Internet activities for the purpose of influencing a federal election without restriction. These exempted Internet activities would not result in a contribution or an expenditure under the Act and would not trigger any registration or reporting requirements with the FEC. This exemption applies to individuals acting with or without the knowledge or consent of a campaign or a political party committee. Exempted internet activities include, but are not limited to, sending or forwarding electronic mail, providing a hyperlink to a website, creating, maintaining or hosting a website and paying a nominal fee for the use of a website.

<https://www.fec.gov/help-candidates-and-committees/candidate-taking-receipts/volunteer-activity/>

Our work fits the criteria above: our group of individuals is uncompensated; its activities include maintaining a website, providing hyperlinks, and sending emails.

This determination is corroborated by how the FEC's calculates the value of in-kind contributions:

"Services (such as advertising, printing or consultant services) are valued at the amount that would have been paid under the prevailing commercial rate at the time the services are rendered."

<https://www.fec.gov/help-candidates-and-committees/taking-receipts-ssf/types-contributions-to-ssf/>

Because we do not charge anyone for our work—federal or otherwise—and because we are not aware of any other group that charges for similar work, there is no prevailing commercial rate.

If you have questions, we are happy to discuss further.