



Campaign Operations Part 1: Fundraising

August 25, 2015
1:30 – 3:00 pm

Objectives – Part 1

- ▣ Review Contribution Basics
- ▣ Discuss Proper Solicitation and Fundraising
- ▣ Evaluate Contributions from Various Sources
 - ▣ PACs & Parties
 - ▣ Individuals -- including methods for curing excessive contributions
 - ▣ Partnerships
 - ▣ Unregistered Organizations

CAMPAIGN CONTRIBUTION BASICS

Contribution Basics

Per Election Limits:

\$2,700 (indexed for inflation)

- Individuals/Persons
- Non-multicandidate committees (“non-qualified”)

\$5,000 (not indexed)

- Multicandidate committees (“qualified”)

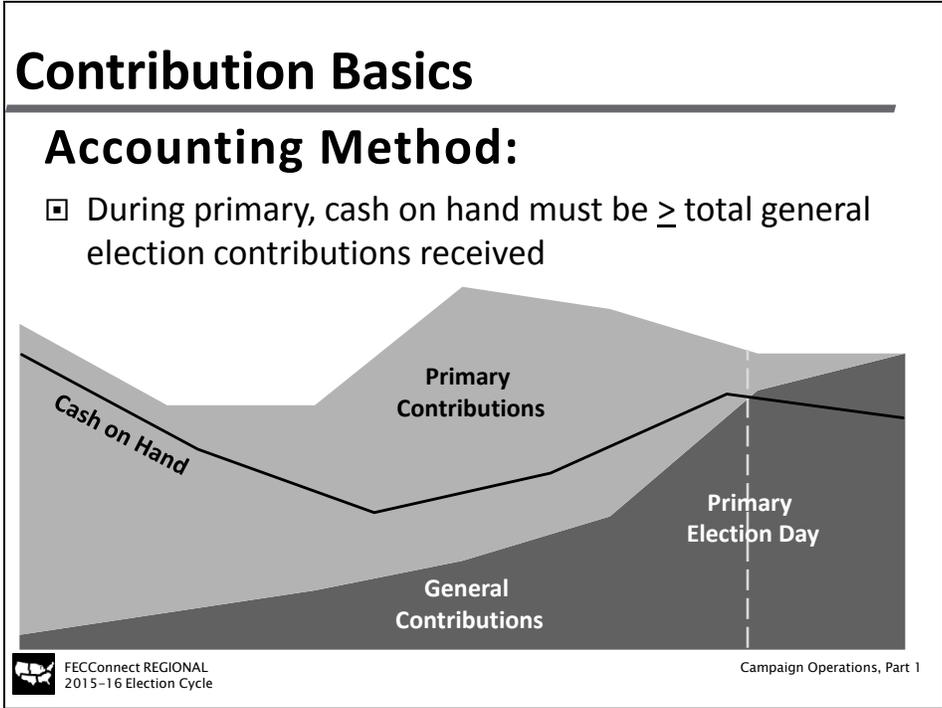
\$2,000 (not indexed)

- Campaign committee to campaign committee

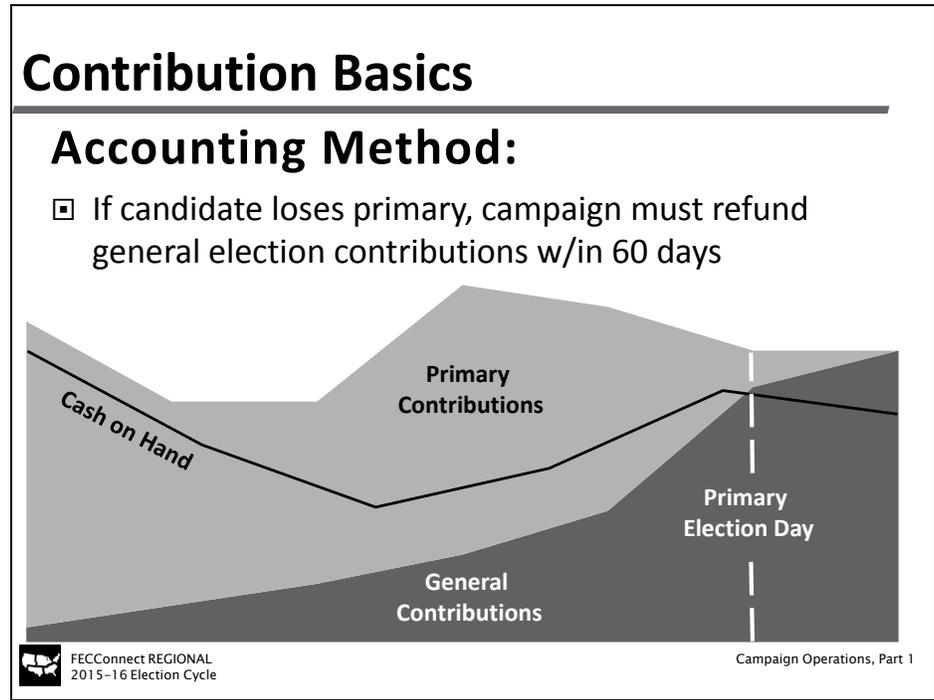
I. Per Election Basis

A. Subject to Limit (*Guide*, pp. 17-18)

1. Limits are per election, per candidate.
 - a) **\$2,700/election** (indexed for inflation) from individuals, persons, non-multicandidate committees.
 - b) **\$5,000/election** (not indexed) from multicandidate committees.
 - c) **\$2,000/election** (not indexed) from one federal candidate’s authorized committee to another federal candidate’s authorized committee.
2. The value of an in-kind contribution (usual and normal charge) counts against same contribution limit as gifts of money.



- B. Accounting Method** (*Guide*, p. 74)
1. Campaign must adopt an accounting system to distinguish between contributions made for the primary and those for the general election.
 2. During the period before the primary, the campaign's cash on hand must at least equal the amount of general election contributions received.
11 CFR 102.9(e)(2).



- C. **Candidates Who Lose in the Primary or Withdraw Before the Primary** (*Guide*, pp. 20-21)
1. Entitled to limit only if candidate seeks office in that election.
 2. Candidate who accepts contributions for general election before primary is held and loses or withdraws from the primary must refund, redesignate or reattribute general election contributions within 60 days of the primary or public withdrawal from the primary race. 11 CFR 110.1(b)(3) and (5).
 3. Similar application for convention, runoff, etc.

Contribution Basics

Debt Retirement Contributions

- ▣ Debt is assigned to an election
- ▣ Debt retirement contributions acceptable if:
 - Campaign has “net debts” for an election
 - Contribution designated for that election AND
 - Does not exceed per election limit

- D. **Contributions to Retire Debts** (*Guide*, pp. 27-28)
1. **Debt Retirement Contributions**
 - a) If a committee has net debts outstanding after an election is over, it may accept contributions after the election to retire debts provided that the:
 - (1) Contribution is **designated** for that election;
 - (2) Contribution does **not exceed contributor’s limit for the designated election**; and
 - (3) Campaign has **net debts outstanding** on the day it receives the contribution. 11 CFR 110.1(b)(3)(i) and (iii).
 - b) For example, campaigns retiring debt for 2014 general can accept up to \$2,600 from an individual, not the current \$2,700 limit.

Net Debts Outstanding



Receipts
- Disbursements

Cash on Hand

Debts
- Cash on Hand

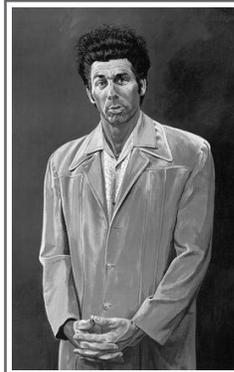
Net Debts
Outstanding

2. Calculating Net Debts Outstanding

- a) A campaign's net debts outstanding consist of unpaid debts incurred with respect to a particular election, minus cash on hand.
- b) First calculated as of the day of election.
- c) Figure is continually recalculated as additional funds are received for, or spent on, the election for which debt remains.

II. Soliciting and Receiving Contributions

Soliciting Campaign Funds



Vote Kramer
for U.S. Congress

**Primary Election Day is
April 26**

Paid for by the Committee to Elect Cosmo Kramer

Soliciting Campaign Funds

Dear Mr. Justin Pitt,

Please contribute.

Note that federal law requires us to ask for name, address, occupation and employer for any contributor who gives more than \$200 in the election cycle.

Best,
Cosmo Kramer

Paid for by the Committee to Elect Cosmo Kramer



✓ Best Efforts

✓ Fundraising
Notice

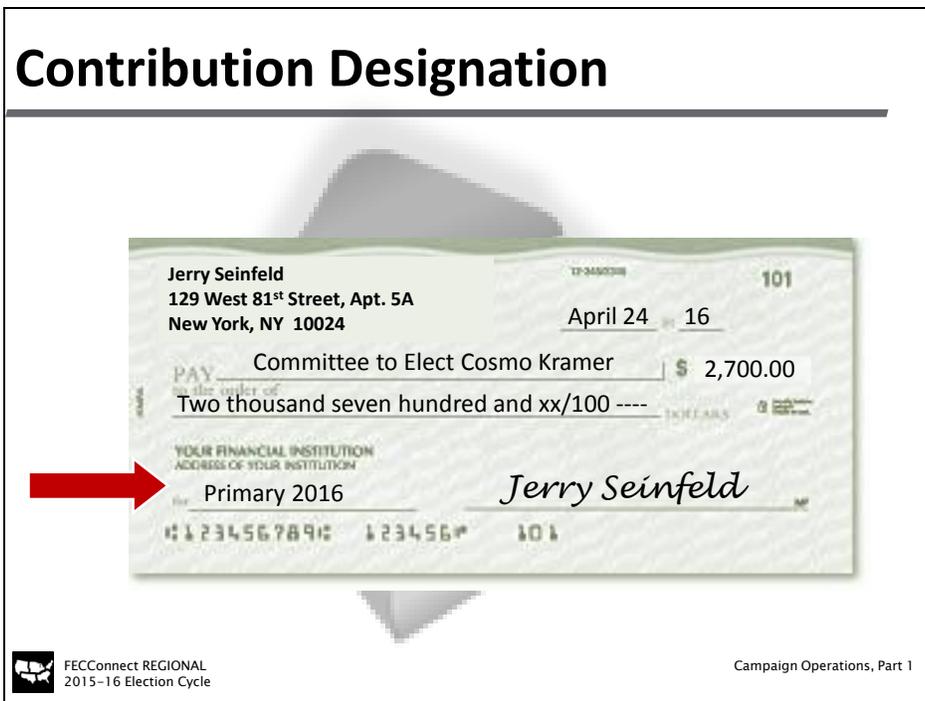
A. Solicitations and Fundraising Notices (*Guide*, pp. 63-67)

1. Authorization Notice

- a) When the campaign solicits contributions through public communications, or on a campaign website, it must include a clear and conspicuous notice on the solicitation stating that it was paid for by the campaign.
- b) *“Paid for by the Committee to Elect Cosmo Kramer”*

2. Best Efforts

- a) When making solicitations, campaigns and their treasurers must make “best efforts” to obtain, maintain and the report name, address, occupation and employer for each contributor who gives more than \$200 in an election cycle.
- b) Initial solicitation must specifically request that information and inform contributors that the campaign is required by law to use its best effort to collect and report it.
- c) If a contributor does not provide sufficient reporting information, the campaign must make one follow up within 30 days of receipt.



B. How Contributions Work (*Guide*, pp. 22-23)

1. Designated and Undesignated Contributions

- a) **Designated contributions** count against the donor’s contribution limits for the election that is named. Donors may designate contributions by indicating in writing on the check or in a signed statement accompanying the contribution.

- b) **Undesignated contributions** count against the donor's contribution for the candidate's next scheduled election, based upon "date made." (see below)

Date Made v. Date of Receipt

Jerry Seinfeld
129 West 81st Street, Apt. 5A
New York, NY 10024

→

April 26
2016

Committee to Elect Cosmo Kramer
129 West 81st Street, Apt. 5B
New York, NY 10024

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2. Date Made v. Date of Receipt (*Guide*, pp. 22-23)

a) Date Made

- (1) The date the contribution is made determines which election limit it counts against. Undesignated contributions made on or before the date of the election count against the donor's limit for that election, even if the date of receipt is after the election day.
- (2) The date the contribution is made is the date the contributor relinquishes control over it.
 - (a) **Hand delivery:** date the contribution is delivered by the contributor to the campaign.
 - (b) **Mail:** date of the postmark. If campaign wishes to rely on the postmark as evidence of date made, it must retain the envelope or a copy of it.
 - (c) **In-kind:** date the goods or services are provided by the contributor.
 - (d) **Internet:** date the contributor electronically confirms making the transaction.

b) Date of Receipt

(1) The date the campaign (or person acting on the campaign's behalf) actually receives the contribution. This is the date used for reporting purposes.

(2) Special situations:

(a) Credit card: date of receipt is the date on which the committee receives the contributor's signed authorization to charge the contribution. Treasurer should retain a copy of authorization form for committee's records.

(b) In-kind: date the goods/services are provided to the committee, even if the contributor pays the bill for goods/services after they are provided to the campaign.

c) Date of Deposit

All contributions must be deposited within 10 days of receipt; this date is **not** used for reporting or contribution limit purposes.

SOURCES OF SUPPORT

Contribution Amount Limits					
For 2015-16 Elections	Candidate Committee per election	PAC (SSF and Nonconnected) per year	State, District & Local Party Committee per year	National Party Committee per year	Additional National Party Committee Accounts per year
Individual	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
Candidate Committee	\$2,000	\$5,000	Unlimited Transfers	Unlimited Transfers	
PAC: multicandidate	\$5,000	\$5,000	\$5,000 (combined)	\$15,000	\$45,000
PAC: Nonmulticandidate	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
National Party Committee	\$5,000 – House \$46,800 per cycle- Senate	\$5,000	Unlimited Transfers	Unlimited Transfers	
State, District & Local Party Committee	\$5,000 (combined)	\$5,000 (combined)	Unlimited Transfers	Unlimited Transfers	

Review

Contribution from Individual



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Contribution from Individual

- ☐ Includes individuals/"persons"
- ☐ Limit: \$2,700/election
- ☐ Advances of Personal Funds – count as contributions until reimbursed
 - Unreimbursed travel
Exempt up to \$1,000/election, per candidate
 - Reimbursed travel
Exempt if repaid on time (cash/check: w/in 30 days;
credit card: w/in 60 days of billing statement closing date)
 - Application to official staff travel

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III. Individuals/Persons (*Guide*, p. 26)

- A. **Limit: \$2,700/election** (indexed for inflation).

B. Persons

Includes groups not prohibited from making contributions (i.e., sole proprietorships, partnerships and certain LLCs and Indian Tribes).

C. Minors

Individuals under 18 years old may make contributions if the minor:

1. Makes the decision to contribute knowingly and willingly;
2. Uses funds they own or control; and
3. Does not use funds given to them as a gift for the purpose of making a contribution. 11 CFR 110.19.

D. Advances of Personal Funds (*Guide*, pp. 13-14; 95-97)

Use of personal funds by candidate, staff or volunteers is an in-kind contribution until reimbursed by committee.

1. \$1,000 Unreimbursed Transportation Exemption (*Guide*, p. 39)

- a) Individuals (including the candidate, paid staff member or volunteer) may voluntarily spend up to \$1,000 for transportation expenses on behalf of campaign without making contribution.
- b) Payments exceeding \$1,000 per candidate, per election, are considered contributions, subject to limit.

2. Application to Official Staff Travel

- a) Prohibits member of a Representative's or Senator's official staff from making contributions to his employing Member. 18 U.S.C. §603 (criminal statute under jurisdiction of the Department of Justice)
- b) Official staff should not advance personal funds even if intending to be reimbursed later. (Exception for travel advances – *see* Campaign Operations, Part 3 for more info).

Reporting Receipts

How to Itemize Receipts

Always Itemize:

- ✓ Contributions from party committees and organizations
- ✓ Contributions from other political committees
- ✓ Transfers
- ✓ Loans

Itemize all other receipts when:

- ✓ Aggregate > \$200 from one source in an election cycle



Campaign Operations, Part 1

Itemizing Receipts

Receipt transactions should include the following itemization information for contribution source:

- Name and mailing address;
- Occupation and employer (individuals only);
- FEC ID number (political committees only);
- Election to which contribution/loan was designated;
- Date of receipt;
- Amount of receipt; and
- Aggregate election-cycle-to-date total for all receipts from same source.

Contribution from Individual

Form 3: Schedule A, Line 11(a)(i)

SCHEDULE A (FEC Form 3)		Use separate schedule(s) for each category of the Detailed Summary Page		LINE NUMBER: PAGE OF	
ITEMIZED RECEIPTS				<input checked="" type="checkbox"/> 11a <input type="checkbox"/> 11b <input type="checkbox"/> 11c <input type="checkbox"/> 11d <input type="checkbox"/> 12 <input type="checkbox"/> 13a <input type="checkbox"/> 13b <input type="checkbox"/> 14 <input type="checkbox"/> 15	
<small>Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.</small>					
NAME OF COMMITTEE (In Full) Committee to Elect Cosmo Kramer					
Full Name (Last, First, Middle Initial) A. Jerry Seinfeld			Date of Receipt 04 / 28 / 2016		
Mailing Address 129 West 81st Street Apt. 5A			Amount of Each Receipt this Period 2,700.00		
City New York		State NY		Zip Code 10024	
FEC ID number of contributing federal political committee. C			Amount of Each Receipt this Period 2,700.00		
Name of Employer Self		Occupation Comedian		Postmarked on 4/26/16	
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Election Cycle to Date 2,700.00			

- E. Reporting Contribution from Individuals/Persons**
1. Itemize on Schedule A for Line 11(a)(i) "Individuals/Persons Other Than Political Committees."
 2. Include all itemization information (see above) – for individuals, include occupation and employer.

Contribution from Federal PAC



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II. Political Action Committees (*Guide*, p. 17)

A. Limits

1. **If Qualified Multicandidate PAC: \$5,000/election.**
 - b) PAC required to notify campaign of status.
 - c) Campaign may also verify PAC's status with FEC.
2. **If Not Qualified as Multicandidate PAC: \$2,700/election** (indexed for inflation).

B. Affiliated PACs (*Guide*, p. 19)

1. Affiliated PACs share contribution limits.
2. Defined as commonly established, financed, maintained or controlled.
3. Example: PACs of national and local labor organizations or PACs of parent and subsidiary corporations.

C. From a Leadership PAC (*Guide*, pp. 20; 168)

1. **Definition of Leadership PAC**
Political committee directly or indirectly established, financed, maintained or controlled by federal candidate/officeholder but is NOT:
 - a) An authorized committee;
 - b) Affiliated with an authorized committee; and
 - c) A political party committee.
2. **Limit: \$5,000/election**, if multicandidate; **\$2,700/election**, if not (indexed for inflation).
3. Not deemed affiliated with member's authorized committee.
11 CFR 100.5(g)(5).

Contribution from Federal PAC

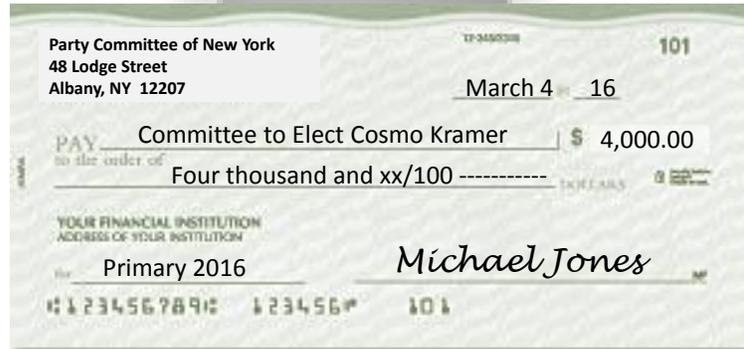
Form 3: Schedule A, Line 11(c)

SCHEDULE A (FEC Form 3)	Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER (check only one)
ITEMIZED RECEIPTS		<input type="checkbox"/> 11a <input type="checkbox"/> 11b <input checked="" type="checkbox"/> 11c <input type="checkbox"/> 11d <input type="checkbox"/> 12 <input type="checkbox"/> 13a <input type="checkbox"/> 13b <input type="checkbox"/> 14 <input type="checkbox"/> 15
Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.		
NAME OF COMMITTEE (In Full) Committee to Elect Cosmo Kramer		
Full Name (Last, First, Middle Initial) Kramerica PAC		Date of Receipt 03 / 27 / 2016
A. Mailing Address 1344 Queens Boulevard		Amount of Each Receipt this Period 5,000.00
City Queens	State Zip Code NY 11101	
FEC ID number of contributing federal political committee. C 00342972		
Name of Employer	Occupation	
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Election Cycle-to-Date 5,000.00	

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- D. Itemizing Contribution from Federal PAC**
1. Schedule A for Line 11(c) “Other Political Committees (such as PACs).”
 2. Itemize **regardless of amount**.
 3. Include all itemization information (see above) –report the PAC FEC ID number (no occupation / employer).

Contribution from Party Committee



Contribution from Party Committee

- ❑ Federal Committee - \$5,000/election
- ❑ Affiliation for State/Local Party
 - \$5,000 /election - shared by all federally registered local party committees within the state
 - Affiliation presumed
- ❑ Special Limit to Senate Candidate
 - \$46,800/six-year election cycle - shared by party's national and national senatorial committees

III. Political Party Committee (Federal Account) (*Guide*, pp. 19-20)

A. To Congressional Candidates

1. National Party Committee Limit: \$5,000/election.

2. **State Party Committees:**
 - a) **Limit:**
 - (1) **\$5,000/election**, if multicandidate.
 - (2) **\$2,700/election**, if not (indexed for inflation).
 - b) Limit shared with all federally registered local party committees within the state. (presumed affiliated)
3. **Unregistered Local Party Organization Limit**
 - a) **\$2,700/election** (indexed for inflation).
 - b) Limit not shared with state party committee. AO 1999-4.
 - c) Must be permissible funds.
 - d) Counts towards registration threshold.

B. To Senatorial Candidates

1. **National Party Committee Limit**
 - a) **\$46,800/six-year election cycle** (indexed for inflation) shared by party's national committee and national senatorial committee.
 - b) **\$5,000/election** for party's national congressional committee.
2. **State, District and Local Party Committees** – same as above.

Contribution from Party Committee

Form 3: Schedule A, Line 11(b)

SCHEDULE A (FEC Form 3)		Use separate schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one) <input type="checkbox"/> 11a <input checked="" type="checkbox"/> 11b <input type="checkbox"/> 11c <input type="checkbox"/> 11d <input type="checkbox"/> 12 <input type="checkbox"/> 13a <input type="checkbox"/> 13b <input type="checkbox"/> 14 <input type="checkbox"/> 15
ITEMIZED RECEIPTS			
Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.			
NAME OF COMMITTEE (In Full) Committee to Elect Cosmo Kramer			
Full Name (Last, First, Middle Initial) A. Party Committee of New York		Date of Receipt 03 / 08 / 2016	
Mailing Address 48 Lodge Street		Amount of Each Receipt this Period 4,000.00	
City Albany	State NY	Zip Code 12207	
FEC ID number of contributing federal political committee. C 00742972		Election Cycle-to-Date 4,000.00	
Name of Employer		Occupation	
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)			

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- C. **Reporting Contribution from Party Committee**
 1. Itemize on Schedule A for Line 11(b) "Political Party Committees."
 2. Include all itemization information (see above) –report party committee's FEC ID number (no occupation / employer).

IV. Methods for Curing Excessive Contributions

Curing Excessive Contributions

Morty Seinfeld
Helen Seinfeld
Phase 2 – Pines of Mar Gables
Del Boca Vista, FL 33433

17-3480238 101

March 29 2016

PAY to the order of Committee to Elect Cosmo Kramer \$ 5,400.00

Five thousand four hundred and xx/100 -----

YOUR FINANCIAL INSTITUTION
ADDRESS OF YOUR INSTITUTION

UNDESIGNATED

Helen Seinfeld

Before Primary

2x Contribution Limit

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Campaign Operations, Part 1

Curing Excessive Contributions

Options: The Three R's

Refund <ul style="list-style-type: none">To donor 1	Redesignate <ul style="list-style-type: none">To another election 2	Reattribute <ul style="list-style-type: none">To another donor 3
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A. Refund

Presumptive Redesignation



1. Designate \$2,700 to Primary
2. Redesignate \$2,700 to General
3. Notify Helen, offering option of refund

* Ensure that donor does not exceed contribution limit

- B. Redesignate – (11 CFR 110.1(b)(5)(ii)(B)(1)-(4)); (*Guide*, pp. 24-27)**
- 1. Presumptive Redesignation**

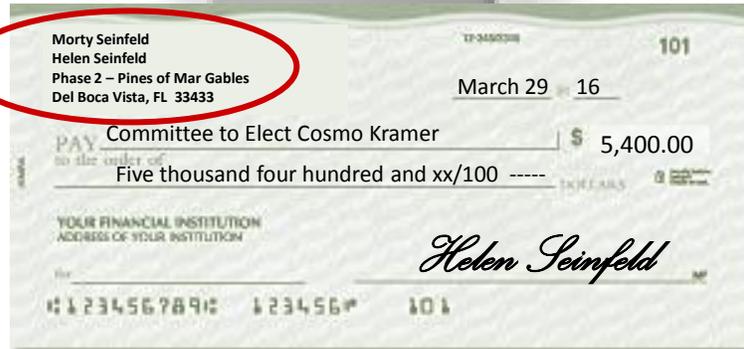
If individual or non-multicandidate committee makes an excessive primary contribution, campaign may presumptively redesignate excessive portion to general election if contribution:

 - a) Is made before candidate's primary election;
 - b) Is not designated in writing for a particular election;
 - c) Would be excessive if treated as a primary election contribution; and
 - d) As redesignated, does not cause the contributor to exceed any other contribution limit.
 - 2. Backward-looking provision:** An undesignated contribution made after primary, but before general, may be applied to primary debt if campaign's net debts are greater than the amount redesignated.
 - 3. Notification Requirement**

Committee must notify contributor of redesignation by paper mail, e-mail, fax or other written method within 60 days of treasurer's receipt of contribution; must notify contributor of right to receive refund instead.
 - 4. Electronic Contributor Redesignations**

The Commission has recently acknowledged that, in certain circumstances, an online process can provide a sufficient level of assurance as to the contributor's identity and intent such that it satisfies the written signature requirements. See Interpretive Rule Regarding Electronic Contributor Redesignations, 76 FR 16233 (March 23, 2011). Available on FEC website at:
http://www.fec.gov/law/cfr/ej_compilation/2011/notice_2011-02.pdf

Curing Excessive Contributions

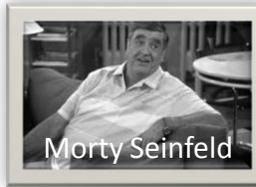


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- C. **Reattribute** – (11 CFR 110.1(k)(3)(ii)(B)(1)); (*Guide*, pp. 25-26)
1. **Attribution of Contributions by Contributors**
 - a) Individual contributions attributed to person(s) who sign check.
 - b) Joint account – both must sign check or accompanying statement.

Presumptive Reattribution



1. Attribute \$2,700 to Helen
2. Reattribute excessive \$2,700 to Morty
3. Notify both; offering option of a refund

* Ensure that neither donor exceeds contribution limit



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Campaign Operations, Part 1

2. **Presumptive Reattribution**
If individual contribution exceeds limit and is made on joint account, but has only one signature:
 - a) Attribute permissible amount to the signer; and
 - b) Presumptively reattribute excessive amount to other account holder, without obtaining his/her signature.
3. Reattribution may not cause contributors to exceed any contribution limits.
4. Committee must notify contributor of reattribution by paper mail, e-mail, fax or other written method within 60 days of treasurer's receipt of contribution; must notify contributor of right to receive refund instead.

Avoid Excessive Contributions

- ▣ Encourage donors to designate contributions
- ▣ Obtain signatures for joint contributions
- ▣ Presumptive redesignation **NOT** available for multicandidate committee contributions



- ▣ Designation required if:
 - Contributing to a future election (i.e., not next election)
 - Contributing to retire debt from a past election

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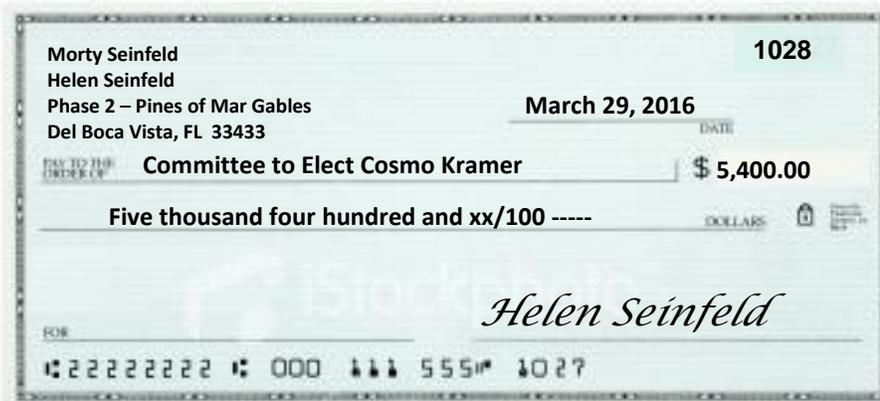
Campaign Operations, Part 1

D. Avoiding Excessive Contributions

1. **Campaigns** – Ask contributors to designate contributions for a particular election.
2. **Designate** all contributions your committee makes to federal candidates.
3. **Ask joint contributors** to make sure both sign check or accompanying statement.
4. **Presumptive redesignation NOT available for excessive multicandidate committee contributions** (only individuals and non-multicandidate committees). Redesignation would need to be done the “old” way:
 - a) Campaign asks contributor to provide a written, signed statement redesignating contribution for another election. The request must also state that the contributor may instead receive a refund of the excessive amount.
 - b) Contribution is properly redesignated if, within 60 days of receipt, the campaign receives a written, signed statement redesignating the excessive portion to another election.
 - c) If the signed authorization is not received within 60 days, the campaign must refund the excessive portion.
5. **Designation of Campaign Contributions by Contributor**
 - a) If contributor intends contribution to count toward a future election, beyond the upcoming election.
 - b) If contributor wants contribution to retire candidate’s debt of a past election. Note: This is permissible only if:
 - (1) Candidate has net debt outstanding from that election; and
 - (2) Contribution, when aggregated with previous contributions to same candidate for same election, does not exceed limit.

SCENARIO #1: *Redesignation/Reattribution of Excessive Contributions*
(Guide, pp. 92-94)

Congressman Cosmo Kramer is running for re-election in 2016. While visiting his son in New York City, Morty Seinfeld attended the Congressman's St. Patrick's Day fundraiser at Monk's Café. At the event, he made a \$500 contribution, designated for the primary (see check below). When Morty returned home to Florida, he talked to his wife, Helen, about doing more to get their friend Kramer re-elected to Congress. In response, she mailed the campaign a check for \$5,400 (see check below), which the campaign received on April 3, 2016.



1. How should the committee disclose the \$500 contribution from Morty Seinfeld?
2. Can we accept Helen's contribution check as written? If not, what must the campaign do to remedy the situation?
3. How should the committee disclose the transaction(s) that remedy the excessive contribution?

Reporting Receipts

Review

How to Itemize Receipts

Always Itemize:

- ✓ Contributions from party committees and organizations
- ✓ Contributions from other political committees
- ✓ Transfers
- ✓ Loans

Itemize all other receipts when:

- ✓ Aggregate > \$200 from one source in an election cycle

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2015-16 Election Cycle

Campaign Operations, Part 1

Receipt transactions should include the following itemization information for contribution source:

- Name and mailing address;
- Occupation and employer (individuals only);
- FEC ID number (political committees only);
- Election to which contribution/loan was designated;
- Date of receipt;
- Amount of receipt; and
- Aggregate election-cycle-to-date total for all receipts from same source.

SCENARIO #1 – ANSWERS:

- 1. How should the committee disclose the \$500 contribution from Morty Seinfeld?**
Contributions from individuals are reported on Schedule A for Line 11(a)(i).

Part 1 of 2: Report Receipt from Individual (April Q)

Form 3: Schedule A, Line 11(a)(i)

Redesignation & Reattribution

SCHEDULE A (FEC Form 3)	Use separate schedule(s) for each category of the Detailed Summary Page	LINE NUMBER: (check only one)	PAGE OF
ITEMIZED RECEIPTS		<input checked="" type="checkbox"/> 1a	<input type="checkbox"/> 11b
		<input type="checkbox"/> 12	<input type="checkbox"/> 11c
			<input type="checkbox"/> 11d
			<input type="checkbox"/> 13a
			<input type="checkbox"/> 13b
			<input type="checkbox"/> 14
			<input type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
Committee to Elect Cosmo Kramer

Full Name (Last, First, Middle Initial)
A. Morty Seinfeld

Mailing Address
Phase 2 – Pines of Mar Gables

City State Zip Code
Del Boca Vista FL 33433

FEC ID number of contributing federal political committee.
C

Name of Employer
Self

Occupation
Retired

Receipt For:
 Primary General
 Other (specify)

Election Cycle-to-Date
500.00

Date of Receipt
M M / D D / Y Y Y Y
03 17 2016

Amount of Each Receipt this Period
500.00



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- 2. Can we accept Helen’s contribution check as written? If not, what must the campaign do to remedy the situation?**

No. Potentially, these could be joint contributions. However, since only Helen signed the \$5,400 check, Helen has made an excessive contribution for the primary. To remedy this, the campaign can reattribute and/or redesignate the excessive portion of her contribution.

- 3. How should the committee disclose the transaction(s) that remedy the excessive contribution?**

Reattribution:

Since Helen’s contribution is drawn on a joint account, the campaign has the option of reattributing the excessive portion to the joint account holder, Morty Seinfeld. The campaign may presumptively reattribute the excessive portion (\$2,700) to Morty for the primary election as long as it would not cause him to exceed his limits.

Report receipt: show reporting on Schedule A for Line 11(a)(i). Two separate entries:
 a. Show check as written: \$5,400 contribution from Helen Seinfeld for primary; and
 b. Subtract excessive amount of contribution: -\$2,700 removed from Helen Seinfeld’s primary contribution.

For both entries, include cross-reference notations: “retribution and redesignation below.”

In our scenario, Morty Seinfeld made a \$500 contribution before the above check was written, so that attributing the full \$2,700 to him for the primary would cause him to exceed his limit for that election by \$500. Therefore, only \$2,200 may be reattributed to Morty.

Report reattribution: show reporting on Schedule A for Line 11(a)(i). Show full \$5,400 as primary contribution from Helen Seinfeld. Change attribution of excessive portion to Morty Seinfeld as MEMO entry and include notation in Amount of Each Receipt this Period box indicating, “retribution.”

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

FOR LINE NUMBER: PAGE OF
 (check only one)
 11a 11b 11c 11d
 12 13a 13b 14 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
Committee to Elect Cosmo Kramer

Full Name (Last, First, Middle Initial)
A. Helen Seinfeld

Mailing Address
Phase 2 – Pines of Mar Gables
Del Boca Vista FL 33433

Date of Receipt
04 / 03 / 2016

FEC ID number of contributing federal political committee.
C

Amount of Each Receipt this Period
5,400.00

Name of Employer
Self Occupation **Homemaker**

Receipt For:
 Primary General
 Election Cycle-to-Date
5,400.00

Full Name (Last, First, Middle Initial)
B. Helen Seinfeld

Mailing Address
Phase 2 – Pines of Mar Gables
Del Boca Vista FL 33433

Date of Receipt
04 / 03 / 2016

FEC ID number of contributing federal political committee.
C

Amount of Each Receipt this Period
- 2,700.00

Name of Employer
Self Occupation **Homemaker**

Receipt For:
 Primary General
 Election Cycle-to-Date
2,700.00

MEMO
Reattribution and Redesignation below

Full Name (Last, First, Middle Initial)
Morty Seinfeld

Mailing Address
Phase 2 – Pines of Mar Gables
Del Boca Vista FL 33433

Date of Receipt
04 / 03 / 2016

FEC ID number of contributing federal political committee.
C

Amount of Each Receipt this Period
2,200.00

Name of Employer
Self Occupation **Retired**

Receipt For:
 Primary General
 Election Cycle-to-Date
2,700.00

MEMO
Reattribution

FECCONNECT REGIONAL
 2015-16 Election Cycle

Campaign Operations, Part 1

With the remaining \$500, the campaign can presumptively redesignate the excessive \$500 to the general election as a remedy.

Redesignation:

Campaign committees may also remedy an excessive contribution by applying the excessive portion to a future election. The campaign may presumptively redesignate the excessive portion to the general election as long as the contribution:

- Is made before the candidate’s primary election;
- Is not designated;
- Would be excessive if treated as a primary election contribution; and
- As redesignated, does not cause the donor to exceed any other limits.

Helen Seinfeld has not yet made any general election contributions; therefore, the campaign may presumptively redesignate either the full \$2,700 excessive portion of primary contribution to the general, or the \$500 that remains after the reattribution to Morty. To maximize the availability of funds for the primary, the campaign chooses the latter.

Report redesignation: show reporting on Schedule A for Line 11(a)(i) as a \$500 contribution from Helen Seinfeld. Change designation to general as a MEMO entry and include notation in Amount of Each Receipt this Period box indicating, “redesignation.”

Redesignation & Reattribution

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

NAME OF COMMITTEE (In Full)
Committee to Elect Cosmo Kramer

Full Name (Last, First, Middle Initial)
Helen Seinfeld

Mailing Address
Phase 2 – Pines of Mar Gables

City: **Del Boca Vista** State: **FL** Zip Code: **33433**

Occupation: **Homemaker**

Receipt For:
 Primary
 General

Amount of Each Receipt this Period: **5,400.00**

**Part 2 of 2:
 Report
 Reattribution &
 Redesignation
 (July Q Report)**

**Form 3:
 Schedule A,
 Line 11(a)(i)**

Full Name (Last, First, Middle Initial)
A. Helen Seinfeld

Mailing Address
Phase 2 – Pines of Mar Gables

City: **Del Boca Vista** State: **FL** Zip Code: **33433**

Occupation: **Homemaker**

Receipt For:
 Primary
 General

Amount of Each Receipt this Period
500.00

**MEMO
 Redesignation**

Receipt For:
 Primary
 General

Amount of Each Receipt this Period
2,700.00

**MEMO
 Reattribution**

Campaign Operations, Part 1

Key issues:

- A presumptive reattribution is allowed even if only one signature is on the check. Ensure that the reattribution won't cause donors to exceed the per election limits.
- A presumptive redesignation for the primary to the general election is allowed if the contribution is not designated for a particular election. For example, if Helen had written "primary" on the memo line of her check, a presumptive redesignation would not be allowed. The redesignation would need to be done the "old" way – with written authorization from contributor within 60 days of receipt BEFORE the redesignation could occur.
- Remember, written notification to contributor(s) must be done within 60 days of receipt for presumptive reattributions and redesignations. The notification must also offer the contributor the option to receive a refund instead.



V. Partnership and Limited Liability Company (LLC) Contributions –
(11 CFR 110.1(e) and (g)); (*Guide*, Appendix B, pp.133-135)

- A. Limit: \$2,700/election** (indexed for inflation).

Contribution from Partnerships/LLCs

- ▣ Partnerships/Non-corporate LLCs may contribute \leq \$2,700 per election
- ▣ Dual Attribution
 - Counts as contribution from partnership and from non-corporate members
 - Allocation based on ownership stake or other agreement among partners



FECConnect REGIONAL
2015-16 Election Cycle

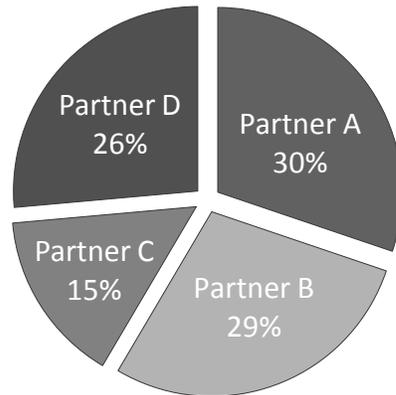
Campaign Operations, Part 1

B. Dually Attributed

1. Contributions are attributed both to the partnership (or LLC) and also to individual partners based on their share of the profits/losses.
2. Partnerships and LLCs must provide campaign with written statement indicating attribution to partners.
3. Cannot attribute to any corporate partners.

Contribution from Partnerships/LLCs

Example: Dual Attribution



Partner A	\$825
Partner B	\$775
Partner C	\$400
Partner D	\$700
<hr/>	
Partnership	\$2,700

Contribution from Partnerships/LLCs

- ▣ Contributions by:
 - Corporate partner/member
 - Any LLC treated as corporation

PROHIBITED

C. Types of LLCs

1. **LLC Treated as Partnership** - treated as partnership for tax purposes, partnership rules above apply.
2. **LLC Treated as Corporation** - If treated as corporation for tax purposes, corporate prohibition on contributions applies.

Contribution from Partnership

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)
Committee to Elect Cosmo Kramer

Full Name (Last, First, Middle Initial)
A. J. Peterman Catalog, LLP
 Mailing Address
229 West 81st Street
New York NY 10024
 Date of Receipt: **04 01 2016**
 Amount of Each Receipt: **2,700.00**
 See partnership attribution below

Full Name (Last, First, Middle Initial)
B. John Peterman
 Mailing Address
229 West 81st Street
New York NY 10024
 Date of Receipt: **04 01 2016**
 Amount of Each Receipt: **1,350.00**
 MEMO Partnership Attribution

Full Name (Last, First, Middle Initial)
C. Elaine Benes
 Mailing Address
229 West 81st Street
New York NY 10024
 Date of Receipt: **04 01 2016**
 Amount of Each Receipt: **1,350.00**
 MEMO Partnership Attribution

Form 3: Schedule A, Line 11(a)(i)

- Report total from partnership
- Use memo entries for individual partners

FECConnect REGIONAL
 2015-16 Election Cycle

Campaign Operations, Part 1

D. Reporting Partnership Contributions

1. Itemized on Schedule A for Line 11(a)(i).
2. The campaign reports the contribution from entity (partnership/LLC) and includes notation in the Receipt this Period box indicating, "See partnership attribution below."
3. Use MEMO entries to indicate attribution to partners/members that aggregate over \$200 for the election cycle. Do NOT add them again to the totals.

Contribution from Unregistered Organization



Contribution from Unregistered Organization

- ▣ Must use federally permissible funds
- ▣ Counts toward federal registrations threshold
 - If nonfederal PAC is sponsored by corp./union:
 - ▣ Registration with first dollar spent on federal elections or upon formation
 - Other nonfederal committees:
 - ▣ Registration after raises or spends > \$1,000

VI. Unregistered Organizations (*Guide*, p. 64)

- A. **Limit: \$2,700/election** limit (indexed for inflation). However, there are two factors they need to consider:

B. Must use federally permissible funds

1. Organization can demonstrate through a reasonable accounting method that it has sufficient federally-permissible funds to cover the amount of the contribution at time it is made; or
2. Has established a separate account containing only funds permissible under the Act. 11 CFR 102.5(b).

C. Counts toward registration threshold

1. Making contributions to federal candidates may trigger their own registration as a federal political committee.
2. State PACs sponsored by corporations or unions must register as federal SSFs within 10 days of the decision to make a contribution to a federal candidate.
3. Contributions from other unregistered organizations (i.e., local party organization, state campaign committee) count against a \$1,000 per year aggregate registration threshold. 11 CFR 100.5(a) - (c).

Contribution from Unregistered Organization

Form 3: Schedule A, Line 11(a)(i)

SCHEDULE A (FEC Form 3)	Use separate schedule(s) for each category of the Detailed Summary Page	LINE NUMBER: PAGE OF (check only one) <input checked="" type="checkbox"/> 11a <input type="checkbox"/> 11b <input type="checkbox"/> 11c <input type="checkbox"/> 11d <input type="checkbox"/> 12 <input type="checkbox"/> 13a <input type="checkbox"/> 13b <input type="checkbox"/> 14 <input type="checkbox"/> 15
Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.		
NAME OF COMMITTEE (In Full) Committee to Elect Cosmo Kramer		
Full Name (Last, First, Middle Initial) A. Lloyd Braun for Mayor		Date of Receipt M = M / D = D / Y = Y - Y = Y 05 / 08 / 2016
Mailing Address 72 Chambers Street		Amount of Each Receipt this Period 600.00
City New York	State Zip Code NY 10007	
FEC ID number of contributing federal political committee. C		Federally permissible funds
Name of Employer	Occupation	
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Election Cycle-to-Date 600.00

FECCONnect REGIONAL 2015-16 Election Cycle Campaign Operations, Part 1

D. Reporting Contribution from Unregistered Organizations

1. Itemize on Schedule A for Line 11(a)(i) "Individuals/Persons Other Than Political Committees."
2. Itemize once exceeds \$200/election cycle.
3. Include all itemization information (see above) – NO ID disclosed (field is for FEC ID number only).

Workshop Evaluation

Help Us Help You!
Please complete an evaluation
of this workshop.

The screenshot shows a workshop evaluation form titled "Workshop Evaluation" for the "Federal Election Commission CHICAGO" event on August 25-26, 2015. The form includes a header with the event name and dates, and a section for "Workshop Evaluation" with a "SCALE" ranging from "POOR" to "EXCELLENT". The form contains several questions for evaluation, such as "How would you rate the speakers' knowledge of the subject matter?" and "How would you rate the speakers' delivery of the workshop content?". There are also open-ended questions for feedback, such as "What did you like best about this workshop?" and "Are there other topics you would like to see covered in future training events?". The form also includes a "Other Comments" section and a footer with the FEC logo and contact information.

Next Workshop

“FEC Jeopardy”
3:15 p.m.
Room: La Salle I