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FEDERAL ELECTION COMMISSION
Washington, DC 20463

July 3, 2017

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer, Staff Director *AP by JAP.*
Lisa Stevenson, Acting General Counsel *LJS*

FROM: FEC Forms Committee¹ *DC*

SUBJECT: Proposed Revisions to Forms 8 & 9 and Instructions

Attached are proposed revisions to Forms 8 & 9 and their respective instructions. The changes to Form 8 consist of adding questions designed to elicit information that the Commission requires all debt settlement plans (DSPs) to include, but which are not identified on the current form. *See* 11 C.F.R. § 116.7(e). Specifically, the Creditor Section was lengthened to include the additional required fields, and a DSP Supplemental Page was added at the end of the form to allow filers to provide any additional information that will not fit in the form fields. In addition, Form 8 was modernized to make it similar in appearance to other FEC forms.

Changes to Form 9 reflect changes to the laws and regulations that have occurred since *Citizens United*, specifically, the removal of the Qualified Nonprofit Corporation category references.

We request that the attached forms and instructions be circulated on a one week tally vote.

Attachments

¹ The following staff members participated in the Forms Committee discussion regarding these proposals: Debbie Chacona (RAD), Nataliya Ioffe (RAD), Ryan Lanz (RAD), Jeff Chumley (OCIO), Paul Clark (OCIO), Ken Lally (OCIO), Adav Noti (formerly OGC), Joshua Blume (OGC), Lorenzo Holloway (OGC), Eileen Canavan Leamon (Public Disclosure & Media Relations), Judy Ingram (Public Disclosure & Media Relations), Greg Scott (Information) and James Jones (Information).

DEBT SETTLEMENT PLAN

Office Use Only

1. **NAME OF COMMITTEE** (in full) **TYPE OR PRINT** ▼ Example: If typing, type over the lines. 12FE4M5

ADDRESS (number and street) _____

Check if different than previously reported. (ACC) _____

_____ _____ _____

CITY ▲ STATE ▲ ZIP CODE ▲

2. **FEC IDENTIFICATION NUMBER** ► C _____

3. **IMPORTANT-** By checking this box, the committee verifies that it qualifies as a "terminating committee" as that term is defined in 11 CFR 116.1(a), plans to terminate and does not intend to raise contributions or make expenditures except for the purpose of paying winding-down costs and retiring its debts. (Only a terminating committee may settle debts for less than the full amount owed. A committee that plans to continue raising contributions and making expenditures cannot file this form.)

PART I - COMMITTEE SUMMARY INFORMATION

4. Cash on Hand as of	M M / D D / Y Y Y Y	is	_____
5. Total Assets to be Liquidated			_____
6. Total (Add 4 and 5)			_____
7. Year To Date Receipts			_____
8. Year To Date Disbursements			_____
9. Total Amount of Debts Owed by the Committee			_____
10. Total Number of Creditors Owed			_____
11. Number of Creditors in Part II of this Plan			_____
12. Total Amount of Debts Owed to the Creditors in Part II of this Plan			_____
13. Total Amount to be Paid to Creditors in Part II of this Plan			_____

14. If this is an authorized committee, does the candidate have other authorized committees? No Yes

If yes, please list below and use DSP Supplemental Page for additional entries:

Name of Committee ▲

FEC Identification Number ► C _____

Write or Type Name of Committee Filing this Plan

FEC Identification Number ▶ C _____

PART I - COMMITTEE SUMMARY INFORMATION (continued)

15. Does the committee have sufficient funds to pay the total amount indicated in this Plan?
If no, please indicate what steps will be taken to obtain the funds: ▼ No Yes

16. After disposing of all the committee's debts and obligations, will there be any residual funds?
If yes, please indicate how the funds will be disbursed: ▼ No Yes

17. Has the committee been released from any debts included in this Debt Settlement Plan pursuant to a discharge under 11 USC Chapter 7 by a Bankruptcy Court? If so, please attach a copy of the order(s) and a list of debts so released. No Yes

I certify that I have examined this Plan and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer _____

Signature of Treasurer _____ Date

M	M	/	D	D	/	Y	Y	Y	Y
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NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Plan to the penalties of 52 USC §30109.

Office Use Only									
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Write or Type Name of Committee Filing this Plan

[Empty grid line for name]

FEC Identification Number ▶

C

PART II - CREDITOR SUMMARY INFORMATION
(FILL OUT FOR EACH CREDITOR IN PLAN)

A. FULL NAME AND MAILING ADDRESS OF CREDITOR

[Empty grid line for name]

[Empty grid line for name]

ADDRESS (number and street)

[Empty grid line for address]

[Empty grid line for address]

[Empty grid line for city]

[Empty grid line for state]

[Empty grid line for zip code]

CITY ▲

STATE ▲

ZIP CODE ▲

B. DATE(S) INCURRED

M M / D D / Y Y Y Y

C. AMOUNT OWED TO CREDITOR

[Empty grid line for amount owed]

D. AMOUNT OFFERED IN SETTLEMENT

[Empty grid line for amount offered]

E. TYPE OF CREDITOR

Incorporated Commercial Vendor

Unincorporated Commercial Vendor

Candidate

Committee Employee

Other Individual

F. LIST EFFORTS MADE BY THE COMMITTEE TO PAY THE DEBT ▼

[Large empty area for listing efforts]

Write or Type Name of Committee Filing this Plan

[Empty grid line for name]

FEC Identification Number ▶

C

PART II - CREDITOR SECTION
(TO BE FILLED OUT BY CREDITOR)

FULL NAME AND MAILING ADDRESS OF CREDITOR

[Empty grid line for name]

[Empty grid line for name]

ADDRESS (number and street)

[Empty grid line for address]

[Empty grid line for address]

[Empty grid line for city]

CITY ▲

[Empty grid line for state]

STATE ▲

[Empty grid line for zip]

ZIP CODE ▲

A. List terms of the initial extension of credit and nature of the debt. ▼

Were the terms under which credit was extended to the committee similar to those under which the creditor extended credit to non-political debtors of similar risk and obligation size?

No Yes

Describe the terms of credit extension by the creditor to non-political debtors of similar risk and obligation size: ▼

B. Did the creditor agree to provide the committee additional time to pay beyond the original due date(s)?

No Yes

If yes, list the terms of any additional payment agreement(s): ▼

C. If the creditor is a commercial vendor, does the creditor's usual and normal business involve providing the same type(s) of goods or services that it provided to the committee?

No Yes

D. List steps by the creditor to collect the debt: ▼

Write or Type Name of Committee Filing this Plan

FEC Identification Number ▶ C

PART II - CREDITOR SECTION (continued)
(TO BE FILLED OUT BY CREDITOR)

FULL NAME AND MAILING ADDRESS OF CREDITOR

ADDRESS (number and street)

_____-____

CITY ▲

STATE ▲

ZIP CODE ▲

E. If the creditor is a commercial vendor:

- 1. Did the vendor follow its established procedures and past practices in approving the extension of credit? No Yes
- 2. Has the creditor previously extended credit to the committee? No Yes
If yes, did it receive prompt payment in full? No Yes
- 3. Did the creditor extend credit in conformity to the usual and normal practice in the creditor's trade or industry? No Yes

F. Was the effort made by the creditor to collect the debt similar to other debts collection efforts against non-political debtors in similar circumstances? If no, please explain ▼ No Yes

G. Are the terms of the debt settlement comparable to other settlements made by the creditor with other non-political debtors in similar circumstances? If no, please explain ▼ No Yes

As the creditor or a representative of the creditor, I hereby accept the settlement offer made to me by the committee and upon payment agree to consider the debt satisfied (or attach a copy of the signed statement).

Type or Print Name of Creditor or Representative _____ Title _____

Telephone Number _____

E-Mail Address _____

Signature of Creditor or Representative _____ Date

M M / D D / Y Y Y Y

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Plan to the penalties of 52 USC §30109.

Office Use Only							
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Write or Type Name of Committee Filing this Plan

[Grid for Name of Committee Filing this Plan]

FEC Identification Number ▶

C

PART III - LIST OF REMAINING DEBTS

FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR

[Grid for Full Name, Mailing Address and Zip Code of Creditor]

ADDRESS (number and street)

[Grid for Address (number and street)]

[Grid for City]

[Grid for State]

[Grid for Zip Code]

CITY ▲

STATE ▲

ZIP CODE ▲

1. Type Of Creditor

Incorporated Commercial Vendor

Other Individual

Repayment Obligation to U.S. Treasury of Presidential Candidate

Unincorporated Commercial Vendor

Candidate

Committee Employee

2. Is This A Disputed Debt?

If yes, describe the nature of dispute and status of efforts to resolve ▼

No
 Yes

3. Amount Owed to Creditor.....

[Grid for Amount Owed to Creditor]

4. Amount Expected to Pay/Offer

[Grid for Amount Expected to Pay/Offer]

FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR

[Grid for Full Name, Mailing Address and Zip Code of Creditor]

ADDRESS (number and street)

[Grid for Address (number and street)]

[Grid for City]

[Grid for State]

[Grid for Zip Code]

CITY ▲

STATE ▲

ZIP CODE ▲

1. Type Of Creditor

Incorporated Commercial Vendor

Other Individual

Repayment Obligation to U.S. Treasury of Presidential Candidate

Unincorporated Commercial Vendor

Candidate

Committee Employee

2. Is This A Disputed Debt?

If yes, describe the nature of dispute and status of efforts to resolve ▼

No
 Yes

3. Amount Owed to Creditor.....

[Grid for Amount Owed to Creditor]

4. Amount Expected to Pay/Offer

[Grid for Amount Expected to Pay/Offer]

DOES THE COMMITTEE HAVE SUFFICIENT FUNDS TO PAY THE REMAINING AMOUNTS TO BE PAID OR OFFERED?

Yes

No (Please list steps that will be taken to obtain the funds) ▶

Reproduce this page to list additional remaining debts.

Write or Type Name of Committee Filing this Plan

FEC Identification Number ▶ C

SUPPLEMENTAL PAGE (use if needed to supplement information provided in the Plan)

The information listed below is supplemental to **PART** _____, **LINE** _____ on **PAGE** _____ :

The information listed below is supplemental to **PART** _____, **LINE** _____ on **PAGE** _____ :

FEC FORM 9

24 HOUR NOTICE OF DISBURSEMENTS/OBLIGATIONS FOR ELECTIONEERING COMMUNICATIONS

1. (a) Name of Individual, Organization or Corporation	
(b) Address (number and street) <input type="checkbox"/> check if different than previously reported	3. FEC Identification Number
(c) City, State and ZIP Code	C
2. Occupation and Name of Employer (for Individual Filers Only)	

4. COVERED PERIOD: FROM THROUGH

5. IS THIS REPORT AN AMENDMENT? No Yes, it amends the report filed on

6. (a) DATE OF PUBLIC DISTRIBUTION(S)

(b) COMMUNICATIONS TITLE

7. THE FILER IS: (a) an Individual (b) a Corporation or Labor Organization making communications under 11 CFR 114.10
 (c) an Unincorporated Organization (d) Other, specify:

8. WERE THE DISBURSEMENTS MADE EXCLUSIVELY FROM DONATIONS TO A SEGREGATED BANK ACCOUNT? Yes No

9. CUSTODIAN OF RECORDS

(a) Name

(b) Address (number and street)

(c) City, State and ZIP Code

(d) Name of Employer or Principal Place of Business (e) Occupation

10. TOTAL DONATIONS THIS STATEMENT

11. TOTAL DISBURSEMENTS/OBLIGATIONS THIS STATEMENT

Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or authorized committee or agent of either, or any political party committee or its agent.

TYPE OR PRINT NAME OF PERSON COMPLETING FORM

SIGNATURE

DATE

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this report to the penalties of 52 U.S.C. § 30109.

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

PAGE OF

11. Person(s) Sharing/Exercising Control

A. (a) Name

(b) Address (number and street)

(c) City, State and ZIP Code

(d) Name of Employer or Principal Place of Business

(e) Occupation

B. (a) Name

(b) Address (number and street)

(c) City, State and ZIP Code

(d) Name of Employer or Principal Place of Business

(e) Occupation

C. (a) Name

(b) Address (number and street)

(c) City, State and ZIP Code

(d) Name of Employer or Principal Place of Business

(e) Occupation

D. (a) Name

(b) Address (number and street)

(c) City, State and ZIP Code

(d) Name of Employer or Principal Place of Business

(e) Occupation

E. (a) Name

(b) Address (number and street)

(c) City, State and ZIP Code

(d) Name of Employer or Principal Place of Business

(e) Occupation

SCHEDULE 9-A
Donation(s) Received

<p>A. Full Name of Donor</p> <hr/> <p>Mailing Address of Donor</p> <hr/> <p>City State Zip</p>	<p>Date of Receipt</p> <p>Amount</p>
<p>B. Full Name of Donor</p> <hr/> <p>Mailing Address of Donor</p> <hr/> <p>City State Zip</p>	<p>Date of Receipt</p> <p>Amount</p>
<p>C. Full Name of Donor</p> <hr/> <p>Mailing Address of Donor</p> <hr/> <p>City State Zip</p>	<p>Date of Receipt</p> <p>Amount</p>
<p>D. Full Name of Donor</p> <hr/> <p>Mailing Address of Donor</p> <hr/> <p>City State Zip</p>	<p>Date of Receipt</p> <p>Amount</p>
<p>E. Full Name of Donor</p> <hr/> <p>Mailing Address of Donor</p> <hr/> <p>City State Zip</p>	<p>Date of Receipt</p> <p>Amount</p>

<p>SUBTOTAL of Donations This Page (optional)</p>	<p>Amount</p>
<p>TOTAL This Period (last page this line number only) (carry total from last page to Line 9)</p>	<p>Amount</p>

SCHEDULE 9-B
Disbursement(s) Made or Obligation(s)

A. Full Name (Last, First, Middle Initial) of Payee				Date of Disbursement or Obligation _____
Mailing Address of Payee _____				Amount _____
City _____	State _____	Zip Code _____		Communication Date _____
Name of Employer _____				
Occupation _____				
Purpose of Disbursement (Including title(s) of communication(s)) _____				
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶ _____	
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶ _____	
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶ _____	
B. Full Name (Last, First, Middle Initial) of Payee				Date of Disbursement or Obligation _____
Mailing Address of Payee _____				Amount _____
City _____	State _____	Zip Code _____		Communication Date _____
Name of Employer _____				
Occupation _____				
Purpose of Disbursement (Including title(s) of communication(s)) _____				
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶ _____	
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶ _____	
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶ _____	
SUBTOTAL of Disbursements/Obligations This Page (optional).....▶				_____
TOTAL This Period (last page this line number only) (carry total from last page to Line 10)				_____

**Federal Election Commission
INSTRUCTIONS FOR FEC FORM 8**

INSTRUCTIONS FOR DEBT SETTLEMENT PLAN, PART I

Political committees that settle their debts for less than the full value are required to file a debt settlement plan for Commission review. Only terminating committees are eligible to file debt settlement plans. A terminating committee is one that is winding down its political activities in preparation of filing a termination report and would be able to terminate except that it has outstanding debts and obligations. A political committee will be considered to be winding down its political activities if it has ceased to make or accept contributions and expenditures, other than contributions accepted for debt retirement purposes and expenditures representing payments of debts or obligations previously incurred or payments for the costs associated with the termination of political activity. 11 CFR 116.1(a).

Every terminating committee that settles a debt for less than full value shall file at least one debt settlement plan for the Commission to review, prior to filing its termination report. The plan should be filed *after* the creditors have agreed to the settlement. Payments should not be made until completion of Commission review.

Debts and obligations subject to debt settlement and Commission review include amounts owed to commercial vendors, debts arising from advances by committee staff and other individuals, salary owed to committee employees and debts arising from loans from political committees or individuals, including candidates, to the extent permitted under 11 CFR Part 110. For purposes of this form, *commercial vendor* means any persons providing goods or services to a candidate or political committee whose usual and normal business involves the sale, rental, lease or provision of those goods or services.

Debts and obligations that shall not be forgiven or settled for less than the amount due include repayment obligations pursuant to 11 CFR 9007.2, 9008.10, 9008.11, 9038.2 or 9038.3 of funds received from the Presidential Election Campaign Fund or the Presidential Primary Matching Payment Account. Debts that are disputed are not subject to the debt settlement and Commission review requirements and procedures. For purposes of this form, *disputed debt* means an actual or potential debt or obligation owed by a political committee, including an obligation arising from a written contract, promise or agreement to make an expenditure, where there is a bona fide disagreement between the creditor and the political committee as to the existence or amount of the obligation owed by the political committee.

Committees that file or who have filed a debt settlement plan should continue to report each outstanding debt or obligation included in a debt settlement plan on its report of receipts and disbursements until the Commission has informed the committee that it has completed its review of the plan.

Treasurer's Responsibilities

A copy of this Plan must be preserved by the treasurer of the political committee for a period of not less than three years from the date of filing. The treasurer of the political committee is personally responsible for the information submitted in the plan and for responding to any Commission request regarding the plan or any information contained in it.

Where to File

An original must be filed as follows:

- Committees which only support or oppose a candidate(s) for the Senate must file with the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, D.C. 20510-7116.
- All other political committees must file with the Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463.

Political committees are no longer required to file copies of this form in states and territories that have qualified for a filing waiver. Currently, only political committees based in Guam, Northern Mariana Islands or Puerto Rico must routinely file copies with the appropriate office in those territories. Other committees must file a copy of any portion of their report applicable to candidates who seek or sought election in those territories.

Line-by-Line Instructions for Part I

Fill out the committee's full name, address and the FEC identification number assigned to your committee.

LINE 1. Enter the complete name and mailing address of your committee.

LINE 2. Enter the FEC Identification Number assigned to the committee.

LINE 3. Check the box if the committee qualifies as a "terminating committee" as defined in 11 CFR 116.1(a), plans to terminate, and does not intend to raise contributions or make expenditures except for the purpose of paying winding-down costs and retiring its debts. (Only a terminating committee may file a debt settlement plan.)

LINE 4. Enter the committee's cash on hand and the date.

LINE 5. Calculate the value of any of the committee's assets that can be liquidated, and enter the total amount on Line 5.

LINE 6. Add Lines 4 and 5.

LINE 7. Enter the year to date receipts for the calendar year.

LINE 8. Enter the year to date disbursements for the calendar year.

LINE 9. Enter the total amount of debts and obligations owed by the committee, including loans.

LINE 10. Enter the total number of creditors owed by the committee.

LINE 11. Enter the number of creditors that are in Part II of this plan.

LINE 12. Total the debts owed to the creditors in Part II of this plan, and enter the amount on this line.

LINE 13. Add the amounts to be paid to the creditors in Part II of this plan, and enter the amount on this line.

LINE 14. Check yes if the candidate has authorized any other political committee(s) to support his/her candidacy for election to federal office, and provide the name(s) and FEC Identification Number(s). (Use DSP Supplemental Page for additional entries.) Otherwise, check no.

LINE 15. Indicate whether the committee has sufficient funds to pay the total amount indicated in this plan. If no, explain how the committee expects to obtain the additional funds.

LINE 16. Indicate whether the committee will have residual funds after it has paid or settled all debts and obligations. If yes, state how they will be spent.

LINE 17. Indicate whether the committee has been released from any debts included in the plan pursuant to a discharge under 11 USC Chapter 7 by a Bankruptcy Court. If yes, attach a copy of

the order(s) and a list of debts from which the committee has been released. Do not include a Part II for any such debt.

After completing the entire plan, the treasurer should sign and date the plan.

INSTRUCTIONS FOR DEBT SETTLEMENT PLAN, PART II

For each creditor in the plan with whom the committee is settling a debt, a separate Part II should be filled out. Enter the committee's full name and FEC identification number in the appropriate boxes. In the top right corner of Part II, put in the page number as well as the number of pages included in the plan for this part.

For each creditor in the plan, the committee must fill out Part II – Creditor Summary Information. The creditor must fill out Part II – Creditor Section.

PART II – CREDITOR SUMMARY INFORMATION (FILL OUT FOR EACH CREDITOR)

- A. Full name and mailing address of creditor.** Enter the creditor's name and address as reported on the debt schedules filed with the committee's reports of receipts and disbursements (FEC FORM 3, 3P or 3X).
- B. Date(s) incurred.** Enter the date the committee incurred the debt. If it is a debt that accumulated over a period of time, enter the time frame in which the debt was incurred.
- C. Amount owed to creditor.** Enter the amount owed to the creditor. If this is different than what the committee has disclosed on its reports, include an explanation.
- D. Amount offered in the settlement.** Enter the amount the creditor is being offered to settle the debt.
- E. Type of creditor.** Check the appropriate box.
- F. Efforts made by the committee to pay the debt.** Briefly describe the committee's efforts to pay the debt in full.

PART II – CREDITOR SECTION (TO BE FILLED OUT BY CREDITOR)

- A. Full name and mailing address of creditor.** Enter the creditor's full name and address.
- B. List terms of the initial extension of credit/nature of the debt.** Describe the initial terms of the debt and give a brief description of the nature of the debt. Terms include any time requirements for payment such as monthly, 30 day, etc., as well as any extensions on the original terms and any penalties for failure to comply. Check the box to indicate whether the terms under which credit was extended to the committee similar to those under which the creditor extended credit to non-political debtors of similar risk and obligation size. Describe the terms of credit extension by the creditor to non-political debtors of similar risk and obligation size.
- C. Indicate whether the creditor agreed to provide the committee additional time to pay beyond the original due date(s).** Check the appropriate box. If yes, list the terms of any additional payment agreement(s).
- D. If the creditor is a commercial vendor:** Check the box to indicate whether its usual and normal business involves providing the same type(s) of goods or services that it provided to the committee.

- E. Steps taken by the creditor to collect the debt.** Briefly describe what steps the creditor took to collect the debt. Examples include: oral and written requests for payment, withholding delivery of additional goods or services until overdue debts are satisfied, late charges or penalties, referral to commercial debt collection service and/or litigation.
- F. If a creditor is commercial vendor:** Check the appropriate boxes for 1-3.
- G. Was the effort made by the creditor to collect the debt similar to other debt collection efforts against nonpolitical debtors in similar circumstances?** Check the appropriate box. If no, please explain why the committee was treated differently.
- H. Are the terms of the debt settlement comparable to other settlements made by the creditor with nonpolitical debtors in similar circumstances?** Check the appropriate box. If no, please describe how the terms are different from those offered to nonpolitical debtors.

The creditor or a representative of the creditor should sign and date the plan, providing his/her title and contact information, including telephone number and e-mail address. The creditor may attach a copy of the signed agreement between the committee and the creditor.

INSTRUCTIONS FOR DEBT SETTLEMENT PLAN, PART III

Fill in the committee's full name and FEC identification number in the appropriate boxes. In the top right corner of Part III, put in the page number as well as the number of pages included in the plan for this part.

List any remaining debts and obligations that the committee owes that are not included in Part II of this plan. Fill out the appropriate information for each remaining creditor.

Full name and mailing address of creditor. Enter the creditor's name and address as reported on the debt schedules filed with the committee's reports of receipts and disbursements (FEC FORM 3, 3P or 3X).

- 1. Type of creditor.** Check the appropriate box.
- 2. Is this a disputed debt?** Indicate whether a debt is disputed by checking the box. If yes, explain the nature of dispute and status of any efforts to resolve it.
- 3. Amount owed to creditor.** List the amount of debt that is owed to the creditor.
- 4. Amount expected to pay or offer.** This should represent the amount that the committee expects to offer the creditor to settle the debt.

Does the committee have sufficient funds to pay the remaining amounts to be paid or offered? Check the appropriate box. If the committee does not have sufficient funds to cover the total amount to be offered or paid to its remaining creditors, briefly explain how the funds will be obtained. Reproduce this page to provide information about any additional remaining debts.

INSTRUCTIONS FOR DEBT SETTLEMENT PLAN (DSP) SUPPLEMENTAL PAGE

Use the DSP Supplemental Page to provide additional information for any entries on the form. Indicate the part number (I, II, or III) and line number of the entry which the supplemental information supports, as well as the page number of the plan where the entry appears.

Federal Election Commission
Instructions for Preparing FEC FORM 9 (24 Hour Notice of
Disbursements/Obligations for Electioneering Communications)

Who Must File

Every person that makes disbursements for electioneering communications aggregating in excess of \$10,000 during a calendar year must report these disbursements by submitting FEC Form 9. For purposes of these notices, "disbursements" includes actual disbursements and the execution of contracts creating an obligation to make disbursements for electioneering communications. The Commission must receive the notice by 11:59 p.m. of the day following the date of the first public disclosure of the electioneering communication that triggers the reporting requirement. Each time subsequent disbursements for electioneering communications made by the same person or entity aggregate in excess of \$10,000, another notice must be submitted. (Note: Political committees that make disbursements for such communications must report such disbursements on FEC Form 3X as expenditures or independent expenditures, as appropriate.)

Definitions

Electioneering Communication means any broadcast, cable or satellite communication that (1) refers to a clearly identified candidate; (2) is publicly distributed; (3) is distributed within 60 days prior to a general election or 30 days prior to a primary election; and (4) can be received by 50,000 or more people in the House District or State that the candidate seeks to represent, or in the case of Presidential primaries, the State holding a Presidential primary within 30 days of the date of public distribution. 11 CFR 100.29.

Public Distribution of an electioneering communication means the airing, broadcast, cablecast or other dissemination of such a communication through the facilities of a television station, radio station, cable television system or satellite system.

Date of Public Distribution refers to the "**Disclosure Date**" under 11 CFR 104.20(a)(1). That regulation defines the date that triggers disclosure of an electioneering communication. The first reportable date of public distribution in a calendar year is the date that an electioneering communication is publicly distributed when the maker of the communication has also surpassed the \$10,000 disbursement threshold. Counting toward the \$10,000 threshold are disbursements made for the direct costs of producing or airing the communication aired on the first reportable date plus the direct costs of any previously unreported electioneering communications. After the first disclosure date, subsequent disclosure notices must be filed on the day following each date on which an electioneering communication is publicly distributed, provided that the direct costs for any electioneering communications since the last Form 9 was filed aggregate in excess of \$10,000.

Direct Costs of Producing or Airing Electioneering Communications means (1) costs charged by a vendor (e.g., studio rental time, staff salaries, costs of video or audio recording media and talent) or (2) costs of airtime on broadcast, cable and satellite radio and television stations, studio time, material costs and the charges for a broker to purchase the airtime. 11 CFR 104.20(a)(2).

Donation as used on this Form means any gift, subscription, loan, advance or deposit of money or anything of value given to any person that is used to finance an electioneering communication.

Segregated Bank Account as used on this Form means a separate bank account into which a reporting entity deposits only funds donated, or otherwise provided, by persons other than national banks, corporations organized by authority of any law of Congress, or foreign nationals, from which it makes disbursements for electioneering communications. 11 CFR 104.20(c)(7).

Name of Employer means the organization or person by whom an individual is employed, rather than the name of his or her supervisor. Individuals who are self-employed should indicate "self-employed."

Occupation means the principal job title or position of an individual.

Purpose means a brief statement or description of why the disbursement was made.

When to File

The Commission must receive notices of electioneering communications no later than 11:59 p.m. Eastern Standard/Daylight Time of the day following the date on which an electioneering communication is publicly distributed for the first time, provided that the \$10,000 threshold has been reached. The Commission must receive notices of subsequent disbursements for additional airings of the same electioneering communication and/or for other electioneering communications by 11:59 p.m. Eastern Standard/Daylight Time of the days that follow the dates of public distribution of later electioneering communications, whenever the costs of such communications bring subsequent aggregate disbursement totals to more than \$10,000. These later aggregations must include any previously unreported disbursements for electioneering communications that have been publicly distributed since the most recent notice was filed.

Notices of electioneering communications may be filed by fax to (202)219-0174, by electronic mail to 2022190174@fec.gov or by online webform available on the Commission's web site at <http://www.fec.gov/electfil/online.shtml>.

Where To File

File all notices of electioneering communications with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463.

Filers are no longer required to file copies of this form in states and territories that have qualified for a filing waiver. Currently, only filers based in Guam, Northern Mariana Islands or Puerto Rico must routinely file copies with the appropriate office in those territories. Other filers must file a copy of any portion of their notice of electioneering communications applicable to candidates who seek or sought election in those territories. For notices of electioneering communications made in Guam, Northern Mariana Islands or Puerto Rico referencing a candidate for President or Vice President, submit a copy to the territory in which the expenditure is made.

Persons filing notices of electioneering communications must retain copies of their notices for a period of not less than 3 years from the date of filing.

Line By Line Instructions

LINE 1. Person Making the Disbursements/Obligations. Provide the requested information. A "person" may be an individual, unincorporated organization, corporation or labor organization. Individual filers: provide the name of your employer and your occupation.

LINE 2. FEC Identification Number. First time filers—leave this line blank. Previous filers with an identification number—enter that number.

LINE 3. New or Amended. Check "Amended" if you are filing an amendment to a previous notice. Otherwise, check "New."

LINE 4. Covering Period. Enter the first and last dates of financial activity covered by the statement; these dates should begin with the date of the first related disbursement and end with the date of public distribution.

LINE 5. a) Date of Public Distribution. Enter the public distribution date of the electioneering communication for which disbursements have exceeded \$10,000 or whose related costs together with earlier disbursements for electioneering communications have exceeded \$10,000, thereby triggering the 24-hour notice requirement. If this is the first notice filed with regard of a particular electioneering communication by the maker, enter the date that the communication was first publicly distributed. If this is not the first notice filed with regard to a particular electioneering communication by the maker, enter the date on which the previously reported electioneering communication was publicly distributed an additional time, provided that costs related to the additional public distribution have exceeded \$10,000 or the costs of the additional distribution plus disbursements related to other electioneering communications aired since the last notice was filed have exceeded \$10,000. For subsequent, new electioneering communications, enter the date on which the communication was first aired whenever related and/or aggregated costs exceed \$10,000. See the definitions above and under 11 CFR 104.20(a) of "Date of Public Distribution" and "Direct Costs of Producing or Airing Electioneering Communications."

b) Communication Title. List the title of the communication as named by the media vendor or producer of the communication. (Titles of individual communications should remain the same throughout their various public distributions unless the content changes.)

LINE 6. Filer Type. Check the box that identifies the type of person making the electioneering communication. A corporation or labor organization making electioneering communications under 11 CFR 114.10 must check box (b).

LINE 7. Account for Donations. Check "Yes" if the disbursements for the electioneering communication were made exclusively from donations to a "segregated bank account" as described above. 11 CFR 104.20(c) and 11 CFR 114.10(d). Otherwise, check "No."

LINE 8. Name of Custodian of Records. Provide the requested information about the individual who controls the books and records that support this filing.

LINE 9. Total Donations This Statement. Provide the sum total of donations itemized on Schedule 9-A. If no donations required itemization (see instructions for Schedule 9-A below), enter "0" (zero).

LINE 10. Total Disbursements/Obligations This Statement. Provide the sum total of disbursements itemized on Schedule 9-B.

LINE 11. List of Persons Sharing/Exercising Control. Provide the requested information for each person who shared or exercised control of making the disbursement/obligation for the electioneering communication. This means officers, directors, executive directors or their equivalents, partners, and, in the case of unincorporated organizations, owners of the entity or persons making disbursements for the electioneering communication. The senior staff position in an organization, whatever its title, that functions as an executive director is the equivalent of an executive director.

Verification

FEC Form 9 must be signed by the person making the electioneering communication, who is making a verified certification under penalty of perjury that the statement is correct.

Instructions for Schedule 9-A (Donations Received)

Who Must File Every individual and unincorporated organization making electioneering communications must file Schedule 9-A disclosing each donor who donated an amount aggregating \$1,000 or more since the first day of the preceding calendar year. 11 CFR 104.20(c)(7) and (8). Likewise, corporations and labor organizations making communications exclusively from a segregated bank account must file Schedule 9-A disclosing each donor who donated an amount aggregating \$1,000 or more since the first day of the preceding calendar year. 11 CFR 104.20(c)(7). If a corporation or labor organization did not pay for communications exclusively from a segregated bank account, Schedule 9-A must be filed only if the donations received for the purpose of furthering electioneering communications aggregate \$1,000 or more per donor since the first day of the preceding calendar year. In this case, Schedule 9-A must disclose each donor whose donations to further electioneering communications aggregated \$1,000 or more. 11 CFR 104.20(c)(9).

After itemizing the donations, subtotal each Schedule 9-A. (You may use multiple pages.) Add the subtotals on the last page of Schedule 9-A, and carry the total to Line 9.

Instructions for Schedule 9-B (Disbursement(s) Made or Obligations)

For each disbursement made or contract executed, including each disbursement made or contract executed prior to exceeding the \$10,000 threshold, provide the requested information. If the payee is an individual, list that individual's occupation and employer. Additionally, list each federal candidate clearly identified in the communication, including the office sought and the election that the disbursement/obligation is made for. Along with listing the specific purpose of the disbursement (e.g., radio ad, television ad), list the title of the communication as named by the media vendor or producer of the communication. (Titles of individual communications should remain the same throughout their various public distributions unless the content changes.) Also list the communication date for the electioneering communication. In most instances, this date will be the Date of Public Distribution. If the maker of the electioneering communication is also required to report disbursements related to other electioneering communications (e.g., electioneering communications with costs below the \$10,000 threshold), the disbursements listed on Schedule 9-B must indicate the other electioneering communication's title in the purpose line, the date the electioneering communication was publicly distributed and the federal candidate that was clearly identified in the communication.

After itemizing the disbursements/obligations, subtotal each Schedule 9-B. (You may use multiple pages). Add the subtotals on the last page of Schedule 9-B, and carry the total to Line 10.