



FEDERAL ELECTION COMMISSION
1050 FIRST STREET, N.E.
WASHINGTON, D.C. 20463

AGENDA DOCUMENT NO. 24-53-A
AGENDA ITEM
For the meeting of December 12, 2024

TO: The Commission
The Office of the Commission Secretary

FROM: Shana M. Broussard *SMB*
Commissioner

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Commissioner

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Commissioner

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Commissioner

DATE: November 21, 2024

RE: Sample Donor Response Form for Contribution by LLCs

Commission regulations require committees to report certain attribution information for contributions from limited liability companies ("LLCs").¹ When a committee's treasurer shows that the committee has used "best efforts" to obtain, maintain, and submit the information required by the Federal Election Campaign Act (the "Act"), the committee's reports will be considered in compliance with the Act.²

Commission regulations also require LLCs, at the time that a contribution is made, to provide accurate and complete attribution information to the recipient committee and to affirm to the recipient committee that the LLC is eligible to make the contribution.³ Failure to comply with these requirements may result in enforcement action.

Accordingly, to assist committees and encourage compliance with the Act and Commission regulations, we propose that the Commission adopt a sample donor response

¹ See 11 C.F.R. § 110.1(g).

² See *id.* § 104.7(a).

³ See *id.* § 110.1(g)(5).

form that can be used as an example for committees that seek and accept contributions from LLCs. If approved, the use of the attached form to obtain the required donor information for contributions from LLCs will satisfy the recipient committee's "best efforts" obligations.

We ask that this matter be placed on the Commission's agenda for the Open Meeting of December 12, 2024.

This form can be used as an example for political committees that seek and accept contributions from LLCs. A recipient committee satisfies its “best efforts” requirement by requesting completion of this form by the donor following receipt of the contribution, if the requested information has not already been provided by the donor.¹ In addition, it is the responsibility of a political committee to comply with the disclaimer requirements of the Federal Election Campaign Act.

For additional information about LLC reporting requirements, please consult <https://www.fec.gov/help-candidates-and-committees/partnership-llc-contributions/>.

¹ See 11 C.F.R. § 104.7(b).

Sample Donor Response Form (for Contribution by LLCs).

11 CFR 110.1(g)(5) states that LLCs shall, at the time that a contribution is made, provide accurate and complete attribution information to the recipient committee and affirm to the recipient committee that it is eligible to make the contribution. Failure to comply may result in enforcement action by the Federal Election Commission against the LLC. To comply with this requirement, check the box next to the statement that describes your LLC's structure, complete the corresponding section, and sign the last page.

1. The LLC has elected to file as a corporation with the IRS or has publicly-traded shares. Complete Section I

2. The LLC has elected to file as a partnership with the IRS, or has not made a choice, under IRS rules, as to whether the LLC is a corporation or partnership. Complete Section II

3. The LLC is a disregarded entity (a single natural-person member LLC) that has not elected to be treated as a corporation by the IRS. Complete Section III

I. The LLC has elected to file as a corporation with the IRS or has publicly-traded shares²

Name of LLC:	LLC's Mailing Address:
Contribution Amount:	Contribution Date:
Primary Contact Phone and Email:	

² An LLC taxed as a corporation or with publicly-traded shares is prohibited by law from contributing to certain political committees such as candidate committees. Please consult FEC guidance or counsel for more information.

II. The LLC has elected to file as a partnership with the IRS, or has not made a choice, under IRS rules, as to whether the LLC is a corporation or partnership.³

Partnership/LLC Name:	Partnership/LLC Mailing Address:
Contribution Amount:	Contribution Date:
Primary Contact Phone and Email:	

For Each partner or member to which the contribution is to be attributed, provide the following information (Name, address, occupation, employer, amount attributed to Partner) (Use additional form if necessary)

Partner 1: _____

Partner 2: _____

Partner 3: _____

Partner 4: _____

Partner 5: _____

Partner 6: _____

Partner 7: _____

³ Partnership contributions count against the partnership’s contribution limits, and also against the contribution limits of each individual partner to which the contribution is attributed. The contribution may be allocated against the partnership in the same proportion as the ownership of the partnership, or under any other formula that reflects the manner in which the contribution is debited against each partner’s profit. A partnership contribution may not be allocated to any partner if such an allocation would violate the prohibitions or limitations of federal law (i.e. partner may not be incorporated for contributions to candidate committees).

III. The LLC is a disregarded entity (a single natural-person member LLC) that has not elected to be treated as a corporation by the IRS.

Single Member's Name:	Single Member's Mailing Address:
Single Member's Phone Number:	Single Member's Email Address:
Contribution Amount:	Contribution Date:
Single Member's Occupation:	Single Member's Employer:
Single Member's Phone number and email address:	

Signature: _____

Name Printed: _____

Date: _____