

Instructions for Report of Receipts and Disbursements for a Committee or Organization Supporting a Nominating Convention (FEC FORM 4)

INSTRUCTIONS FOR SUMMARY PAGE (FEC FORM 4)

General

Who Must File

- (1) Each convention committee established by a national committee pursuant to 11 CFR 9008.3(a)(2);
- (2) Each committee, including a host committee, other organization or group of persons which represents a State, municipality, local government agency or other political subdivision in dealing with officials of a national party with respect to matters involving a Presidential nominating convention; and
- (3) Any other organization, including a national committee, which represents a political party in making arrangements for that party's convention held to nominate a candidate for the office of President or Vice President (except that the reporting requirement does not apply to a national committee which has established a convention committee pursuant to 11 CFR 9008.3(a)(2)) are required to file reports of receipts and disbursements.

Note: Convention and host committees must file reports in an electronic format under 11 CFR 104.18 if they have either received contributions or made expenditures in excess of \$50,000 during the calendar year, or if they have reason to expect that they will exceed either of those thresholds. If the committee has reached this level of activity, **DO NOT FILE THIS FORM ON PAPER**. Instead, you must file this form in an electronic format. Contact the FEC for more information on filing electronically.

Where to File

An original report and any amendments must be filed with the Federal Election Commission, 1050 First Street, N.E., Washington, DC 20463.

When to File

- The post convention report must be filed on the earlier of: 60 days following the last day the convention is officially in session; or 20 days prior to the Presidential general election. The post convention report must be complete as of 15 days prior to the date on which the report must be filed.
- Quarterly reports must be filed no later than 15 days following the last day of the covering period, except for the Year-end report, which is due January 31. Any quarterly report due within 20 days before or after the convention need not be filed, and in lieu of such quarterly report a post convention report must be filed.
- The final report by a host committee must be filed no later than 10 days after activity relating to the Presidential nominating convention has ceased.

Reports filed electronically must be received and validated by the Commission's computer system on or before 11:59 p.m. Eastern Standard/Daylight Savings Time on the prescribed filing date in order to be timely filed.

Treasurer's Responsibilities

A copy of this report 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 timely and complete filing of the report and for the accuracy of any information contained in it.

Line-by-Line Instructions

It is recommended that committees complete the Detailed Summary Page before completing the Summary Page.

LINE 1. Print or type the complete name and mailing address of the committee.

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

LINE 3. Check the appropriate box for type of committee/organization. If the "Other" box is checked, specify the type on the line provided.

LINE 4(a). Check the appropriate box for "Type of Report."

LINE 4(b). If this is an original report, check the "NO" box. If this is an amendment to a previous report, check the "YES" box.

LINE 5. Enter the coverage dates for this report. All activity from the ending coverage date of the last report filed must be included.

LINE 6(a). Enter the total amount of cash on hand at the beginning of the calendar year. The term "cash on hand" includes: currency; balance on deposit in banks; savings and loan institutions; and other depository institutions; traveler's checks owned by the committee; certificates of deposit; treasury bills and other committee investments valued at cost.

LINE 6(b). Enter the total amount of cash on hand at the beginning of the reporting period.

LINE 6(c). Transfer the amounts from Column A and Column B of Line 20 to the corresponding Columns on Line 6 (c).

LINE 6(d). Add Lines 6(b) and 6(c) to derive the figure for Column A, and add Lines 6(a) and 6(c) to derive the figure for Column B.

LINE 7. Transfer the amounts from Column A and Column B of Line 25 to the corresponding Columns on Line 7.

LINE 8. For both Column A and Column B, subtract Line 7 from Line 6(d) to derive the figure (which should be the same for both columns) for cash on hand at the close of the reporting period for Line 8.

LINE 9. Transfer the total amount of debts and obligations owed TO the committee from Schedule C or D.

LINE 10. Transfer the total amount of debts and obligations owed BY the committees from Schedule C or D.

LINE 11. Transfer the amounts from Column A and Column B of Line 21(c) to the corresponding Columns on Line 11.

LINE 12. Transfer the amounts from Column A and Column B of Line 17(c) to the corresponding Columns on Line 12.

LINE 12(a). For both Column A and B, subtract Line 12 from Line 11 to derive the figures for Line 12(a).

LINE 12(b). Transfer the expenditures from prior years subject to the limitations.

LINE 12(c). Add Lines 12(a) and 12(b) to derive the figure for Line 12(c).

INSTRUCTIONS FOR DETAILED SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS (FEC FORM 4, PAGE 2)

The committee's full name and the coverage dates of the report must be entered in the appropriate blocks. If there are no receipts or disbursements for a particular category for a reporting period or calendar year, enter "0." To derive the calendar year-to-date figure for each category, the political committee should add the "Calendar Year-to-Date" total from the previous report to the "Total This Period" from Column A for the current report. For the first report filed for the calendar year, the "Calendar Year-to-Date" figure is equal to the "Total This Period" figure.

LINE 13. Enter the total amount of Federal funds received. These are receipts from the Presidential Election Campaign Fund (US Treasury). Itemize all of these receipts on Schedule A, regardless of the amount.

LINE 14(a). Enter the total amount of itemized contributions to defray convention expenditures on Line 14(a). These are receipts used to pay expenses incurred for the nominating convention. For each person other than a political committee who has made one or more contributions during the calendar year aggregating in excess of \$200, the committee must provide on Schedule A the identification (full name, mailing address, occupation and name of employer) of the person, date and amount of each contribution aggregating in excess of \$200 and the aggregate year-to-date total. Each additional contribution from any such person must be separately itemized. All contributions from political committees must be itemized on Schedule A, regardless of the amount. For each contribution, provide the identification (full name and address) of the committee, date and amount of the contribution and the aggregate year-to-date total.

LINE 14(b). Enter the total amount of unitemized contributions to defray convention expenditures on Line 14(b).

LINE 14(c). For Column A, add the totals on Lines 14(a) and 14(b) to derive the figure for Line 14(c).

LINE 15. Enter the total amount of transfers from affiliated committees on Line 15. Loans and loan repayments received from affiliated committees must be included on Line 15 and not on Line 16. These transfers must be itemized on Schedule A, regardless of the amount. For each transfer provide the identification (full name and mailing address) of the committee, date and amount of the transfer and the aggregate year-to-date total.

LINE 16(a). Enter the total amount of loans received (other than loans received from affiliated committees) on Line 16(a). All loans received by the committee must be itemized on Schedule A, regardless of the amount. For each loan provide the identification: full name, mailing address and, where applicable, occupation and name of employer of the person making the loan, date and amount of loan and the aggregate year-to-date total. The committee must also provide on Schedule C the identification of any endorser or guarantor and the amount of the endorsement or guarantee (see also instructions for Schedule C).

LINE 16(b). Enter the total amount of loan repayments received (other than loan repayments to affiliated committees) on Line 16(b). All loan repayments received by the committee must be itemized on Schedule A, regardless of the amount. For each loan repayment provide the identification of the person making the loan repayment, date and amount of the loan repayment and the aggregate year-to-date total.

LINE 16(c). For Column A, add Lines 16(a) and 16(b) to derive the figure for Line 16(c).

LINE 17(a). Enter the total amount of itemized refunds, rebates and returns of deposit that have been reported

on Line 21 of the Detailed Summary Page as a convention expenditure(s) on Line 17(a). For each person who provides refunds, rebates and returns of deposits relating to convention expenditures aggregating in excess of \$200 for the calendar year, the committee must provide on Schedule A the identification of the person, date and amount of each receipt aggregating in excess of \$200 and the aggregate year-to-date total.

LINE 17(b). Enter the total amount of unitemized refunds, rebates and returns of deposits relating to convention expenditures on Line 17(b).

LINE 17(c). For Column A, add the totals on Lines 17(a) and 17(b) to derive the figure for Line 17(c).

LINE 18(a). Enter the total amount of itemized other refunds, rebates and returns of deposits on Line 18(a). These are all other rebates, refunds and returns of deposits that have been reported on Line 24 as an "Other Disbursement." For each person who provides other refunds, rebates and returns of deposits aggregating in excess of \$200 for the calendar year, the committee must provide on Schedule A the identification of the person, date and amount of each receipt aggregating in excess of \$200 and the aggregate year-to-date total.

LINE 18(b). Enter the total amount of unitemized other refunds, rebates and returns of deposits on Line 18(b).

LINE 18(c). For Column A, add the totals on Lines 18(a) and 18(b) to derive the figure for Line 18(c).

LINE 19(a). Enter the total amount of itemized other receipts on Line 19(a). For convention committees this would include interest and dividends. For host committees other income would include contributions received to promote the city and its commerce. For each person who provides any dividends, interest or other receipts aggregating in excess of \$200 for the calendar year, the committee must provide on Schedule A the identification of the person, the date and amount of each receipt aggregating

in excess of \$200 and the aggregate year-to-date total.

LINE 19(b). Enter the total amount of unitemized other receipts on Line 19(b).

LINE 19(c). For Column A, add the totals on Lines 19(a) and 19(b) to derive the figure for Line 19(c).

LINE 20. For both Column A and Column B, add Lines 13, 14(c), 15, 16(c), 17(c), 18(c) and 19(c) to derive the figures for Line 20.

LINE 21(a). Enter the total amount of itemized convention expenditures on Line 21(a). These are disbursements made to defray convention expenses. For each person who receives payments for convention expenditures aggregating in excess of \$200 for the calendar year, the committee must provide on Schedule B the full name and mailing address, date and amount of each convention expenditure aggregating in excess of \$200 and the purpose of the expenditure (see also instructions for Schedule B).

LINE 21(b). Enter the total amount of unitemized convention expenditures on Line 21(b).

LINE 21(c). For Column A, add the totals on Lines 21(a) and 21(b) to derive the figure for Line 21(c).

LINE 22. Enter the total amount of transfers to all affiliated committees on Line 22. Political party committees must enter the total amount of transfers to other affiliated committees on Line 22. Loans and loan repayments made to other political party committees or affiliated committees as appropriate must be included on Line 22. These transfers must be itemized on Schedule B, regardless of the amount. For each transfer provide the full name and mailing address of the recipient committee, date and amount, and state that the purpose of the disbursement is a "Transfer."

LINE 23(a). Enter the total amount of loans made, excluding transfers reported on Line 22 on Line 23(a). For each loan made by the committee, provide the full name and mailing ad-

dress of the person, date and amount of the loan, and state that the purpose is a "Loan."

LINE 23(b). Enter the total amount of loan repayments, excluding transfers reported on line 22, made on Line 23(b). All loan repayments made must be itemized on Schedule B, regardless of the amount. For each person who receives a loan repayment provide the full name, mailing address, date and amount, and state that the purpose of the disbursement is a "Loan Repayment."

LINE 23(c). For Column A, add the totals on Line 23(a) and 23(b) to derive the figure for Line 23(c).

LINE 24(a). Enter the total amount of itemized other disbursements on Line 24(a). For each person who receives any disbursement(s) not otherwise disclosed where the aggregate amount or value is in excess of \$200, the committee must provide the full name and address of each such person together with the date, amount and purpose of any such disbursement.

LINE 24(b). Enter the total of unitemized other disbursements on Line 24(b).

LINE 24(c). For Column A, add the totals on Line 24(a) and Line 24(b) to derive the figure for Line 24(c).

LINE 25. For both Column A and Column B, add Lines 21(c), 22, 23(c) and 24(c) to derive the figures for Line 25.

INSTRUCTIONS FOR SCHEDULE A, ITEMIZED RECEIPTS (FEC FORM 4)

The Detailed Summary Page is broken down into various categories of receipts. Use Schedule A to list each receipt required to be itemized. DO NOT combine more than one category of receipts on the same Schedule A. Instead, use a separate Schedule A for each category of receipts. The line number of the Detailed Summary Page to which each Schedule Apertains should be identified in the upper right corner of each Schedule. In addition, the committee's full name must be entered in the appropriate block. For each receipt required to be itemized during the reporting period, the political committee must provide the identification, date and amount of the receipt and the aggregate year-to-date total. If disclosing a contribution from a federal political committee, the committee should enter the committee's FEC identification number. (This number is readily available from the Commission's Web site or its Public Disclosure Division.)

The term "identification" means, in the case of an individual, his or her full name, including: first name, middle name or initial, if available, and last name; mailing address; occupation; and the name of his or her employer; and, in the case of any other person, the person's full name and address. Do not abbreviate committee names.

The occupation and name of employer is only required to be provided for receipts from individuals. "Occupation" means the principal job title or position of an individual and whether or not self-employed. "Employer" means the organization or person by whom an individual is employed, and not the name of his or her supervisor.

The "receipt for" block does not apply to contributions received by political committees. Only use these blocks for receipts relating to refunds or loan repayments received from federal candidates. The "aggregate year-to-date" total must be given for each receipt and must equal the total

amount that the person has given to the committee for that particular category of receipts for the calendar year. If a receipt is the only receipt from a person during the calendar year, the aggregate year-to-date total must still be entered.

The "Total This Period" amount (the last line on Schedule A) must be added to all other receipts for that category which are not itemized and carried forward to Column A of the corresponding line of the Detailed Summary Page.

If a contribution is received from a business entity or is drawn on what is or appears to be a business account, the political committee must determine that the contribution is not from a prohibited source. If the contribution is from a prohibited source, it must be refunded within thirty days of its receipt.

A contribution which appears to be excessive, either on its face or when aggregated with other contributions from the same person, may be returned or deposited into a committee depository but not used. If deposited, the contributor may be asked if a joint contribution was intended and, if so, to submit a written reattribution of the contribution signed by each contributor. If no reattribution is received, the excessive contribution must be refunded within sixty days of its receipt. Reattributions are reported as memo entries on the report covering the period in which the committee receives the reattributions. Indicate how the contribution(s) was reported initially, followed by the reattributed entry(ies). See 11 CFR 104.8 for the reporting of these types of contributions.

Contributions In-Kind. Contributions in-kind (i.e., goods and services provided to a political committee) are treated as any other contribution and must be reported and itemized under the appropriate category of receipts. For example, a contribution in-kind from an individual must be itemized on Schedule A and reported under the category for "Contributions From Individuals/ Persons Other Than Po-

litical Committees." The value of each contribution in-kind must be entered in the "Amount of Each Receipt This Period" column. The amount or value of the contribution in-kind is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the political committee. The "aggregate year-to-date" total must include the total amount of all contributions which the person has contributed to the committee during the calendar year. The item must be labeled "contribution in-kind" and include the nature of the contribution (e.g., consulting, polling, etc.) Each contribution in-kind must also be reported in the same manner as an operating expense on Schedule B and include in the total for "Operating Expenditures" (Note: A political committee which makes a contribution in-kind only reports it as a disbursement and itemizes the transaction on Schedule B with a notation "contribution in-kind." The purpose of the expenditure (e.g., consulting, polling, etc.) and the aggregated year-to-date amount must also be provided. The committee receiving the contribution in-kind must report it as both a receipt and an expenditure.)

Contributions of stocks, bonds, art objects, and other similar items to be liquidated must be reported as follows:

- (1) If the item has not been liquidated at the close of the reporting period, the committee must record as a memo entry (not as cash) on Schedule A the item's fair market value on the date received, including the name and mailing address (and when in excess of \$200, the occupation and name of the employer) of the contributor. The total amount of items to be liquidated must be entered under "Total This Period" on the last line of Schedule A. This amount must NOT be carried forward to the Detailed Summary Page.
- (2) When the item is sold, the committee must report the proceeds and include them in the appropriate categories on the Detailed Summary Page. It must also report the

(i) name and mailing address (and, where in excess of \$200, the occupation and name of employer) of the purchaser on Schedule A, if purchased directly from the committee (the purchaser is considered to have made a contribution to the committee); and (ii) the identification of the original contributor on Schedule A.

Exempt Legal or Accounting Services. Legal or accounting services rendered to or on behalf of an authorized committee of a candidate or any other political committee are not contributions or expenditure and are not, therefore, subject to the contribution limitations and prohibitions, if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely to ensure compliance with the Act.

The political committee must itemize as a memo entry on a separate Schedule A each person who provides legal or accounting services to the political committee in an aggregate value or amount in excess of \$200 within the calendar year, together with the date of receipt and amount or value of the exempt legal or accounting services, and state that the receipt is for “exempt legal or accounting service.” The total amount of exempt legal or accounting services must be entered on the line for “Total This Period” on the bottom of Schedule A, but the total amount may not be carried forward to any category or line number on the Detailed Summary Page.

Earmarked Contributions. For each earmarked contribution received (regardless of the amount), the political committee must report on Schedule A the name and address of the original contributor, the date of receipt and the amount of the contribution and, if the original contributor makes contributions aggregating in excess of \$200 to the political committee during the calendar year, the occupation and name of employer. If the contribution passes through the political committee’s account and is forwarded to

another political committee or Federal candidate, the conduit committee must disclose each contribution, regardless of the amount, on both Schedule A and Schedule B and include the amount under the appropriate category of receipts and disbursements. If the contribution was passed on in the form of the contributor’s check, the conduit must disclose each contribution on a separate Schedule A attached to the conduit’s (intermediary) next report and the amounts of such contributions are not required to be included in the totals for the appropriate categories of receipts and disbursements. If a political committee is not a conduit, but is the intended recipient, the political committee must report each conduit through which the earmarked contribution passed, including the name and address of the conduit, and whether the contribution was passed on in cash, by the contributor’s check, or by the conduit’s check. If the conduit exercises direction and control over the contribution, the earmarked contribution must also be attributed to the contribution limitations of the conduit.

Checks Returned Due to Insufficient Funds. If a contributor’s check is returned to the political committee due to insufficient funds and the receipt of the check was previously reported, the political committee must report the return under the appropriate category of receipts as a negative entry and net out the amount of the check from the total for that category. If the original receipt of the check was itemized on Schedule A, the return of the check must also be itemized as a negative entry on Schedule A. If the receipt of the check was never reported, the return of the check should not be reported.

Check Refunded to the Committee. A contribution may be refunded to the committee in one of two ways:

(1) The original check is returned uncashed. If the contribution was reported, the refund should be reported as a negative entry on Schedule B, and the amount of the contribution refund subtracted

from the disbursement totals on the line of the Detailed Summary Page that it was reported on.

(2) The original check is not returned and the refund is made by a check from the recipient of the contribution. Such a transaction should be reported as a receipt on Schedule A for the appropriate line of the Detailed Summary Page. This procedure is applicable regardless of whether the amount refunded is the full or only a partial refund of the contribution or whether the contribution was previously reported.

Best Efforts. When the treasurer of a political committee shows that best efforts have been used to obtain, maintain and submit the information required, the committee shall be considered in compliance with the Act.

With regard to reporting the identification of each person whose contribution(s) to the committee and its affiliated committees aggregate in excess of \$200 in a calendar year, the treasurer will only be deemed to have exercised best efforts to obtain, maintain and report the required information if all written solicitations for contributions include a clear request for the information (i.e., name, mailing address, occupation, name of employer) and include an accurate statement of Federal law regarding the collection and reporting of individual contributor identifications. In addition, for each contribution requiring itemization which lacks contributor information, the treasurer must, within 30 days of receipt of the contribution, make one effort to obtain the missing information. See 11 CFR 104.7 and the Campaign Guide for more information.

INSTRUCTIONS FOR SCHEDULE B, ITEMIZED DISBURSEMENTS (FEC FORM 4)

The Detailed Summary Page is broken down into various categories of disbursements. Use Schedule B to list each disbursement required to be itemized. **DO NOT** combine more than one category of disbursements on the same Schedule B. Instead, use a separate Schedule B for each category of disbursements. The line number of the Detailed Summary Page to which each Schedule B pertains should be identified in the upper right corner of each Schedule. In addition, the committee's full name must be entered in the appropriate block.

For each disbursement required to be itemized during the reporting period, the political committee must provide the full name, mailing address, date, amount, and purpose of the disbursement.

The term "purpose" means a brief statement or description of why the disbursement was made. Examples of adequate descriptions include the following: dinner expenses, media, salary, polling, travel, party fees, phone banks, travel expenses, travel expense reimbursement, and catering costs. However, statements or descriptions such as "advance," "election day expenses," "other expenses," "expense reimbursement," "miscellaneous," "outside services," "get-out-the-vote," and "voter registration," would not meet the requirement for reporting the purpose of an expenditure. If the disbursement is a "loan repayment," "contribution refund," or other similar category of disbursement (other than an operating expenditure), the name of the category of disbursement (i.e., "loan repayment," etc.) is sufficient to meet the requirement for reporting the purpose of an expenditure.

Along with reporting the purpose of the expenditure as required above, the committee should also broadly characterize disbursements by providing the code for each category of disbursement. Examples of the types of

disbursements that fall within each of the broad categories are listed below. Use only one code for each itemized disbursement. In cases where the disbursement was for several purposes, the political committee should assign one code according to the primary purpose of the disbursement. Note that some of the category titles are not acceptable as the "purpose" of the disbursement and that the categories are not intended to replace or to serve as a substitute for the "purpose of disbursement."

001 Administrative/Salary/Overhead Expenses (e.g., rent, staff salaries, postage, office supplies, equipment, furniture, ballot access fees, petition drives, party fees and legal and accounting expenses)

002 Travel Expenses—including travel reimbursement expenses (e.g., costs of commercial carrier tickets; reimbursements for use of private vehicles; advance payments for use of corporate aircraft; lodging and meal expenses incurred during travel)

003 Solicitation and Fundraising Expenses (e.g., costs for direct mail solicitations and fundraising events including printing, mailing lists, consultant fees, call lists, invitations, catering costs and room rental)

004 Advertising Expenses—including general public political advertising (e.g., purchases of radio/television broadcast/cable time, print advertisements and related production costs)

005 Polling Expenses

006 Campaign Materials (e.g., buttons, bumper stickers, brochures, mass mailings, pens, posters and balloons)

007 Campaign Event Expenses (e.g., costs associated with candidate appearances, campaign rallies, town meetings, phone banks, including catering costs, door to door get-out-the-vote efforts and driving voters to the polls)

008 Transfers (e.g., to other affiliated/party committees)

009 Loans (e.g., loans made or repayments of loans received)

010 Refunds of Contributions (e.g., contribution refunds to individuals/persons, political party committees or other political committees)

011 Political Contributions (e.g., contributions to other federal committees and candidates, and donations to nonfederal candidates and committees)

012 Donations (e.g., donations to charitable or civic organizations)

For disbursements that are contributions to Federal candidates, or authorized committees, the committee must include under "Purpose of Disbursement" the name of the candidate and office sought (including State and congressional district, where applicable) and the aggregate year-to-date total of contributions made to that candidate or committee in the purpose of disbursement box.

For each contribution to a Federal candidate or authorized committee, indicate in the election check-off box the election for which the contribution was made. Contributions to a candidate or authorized committee which are not designated by the contributor for a specific election must be counted toward the contributor's limitation for the next election after the contribution is made. Contributions may be made for a past election only to the extent that the recipient has net debts outstanding from that particular election. In the event the contribution was made for an election prior to the current election cycle, the "Other" box must be checked and the type of election specified (e.g., "General 2000," "Primary 2000"). The election checkoff boxes provided for each itemized entry on Schedule B should not be used when itemizing operating expenditures.

The "Total This Period" amount (the last line on Schedule B) must be added to all other disbursements for that category which are not itemized and carried forward to Column A of the corresponding line of the Detailed Summary Page.

Contributions In-Kind Received

Contributions in-kind received by the committee which are itemized on Schedule A must also be itemized as an operating expenditure on Schedule B. In addition, in the “Purpose of Disbursement” box include the notation “Contribution In-Kind,” and the nature of the expenditure (e.g., consulting, polling, etc.)

INSTRUCTIONS FOR SCHEDULE C, LOANS (FEC FORM 4)

A loan is a contribution at the time it is made and is a contribution to the extent it remains unpaid. A **LOAN WHICH EXCEEDS THE CONTRIBUTION LIMITATIONS IS UNLAWFUL WHETHER OR NOT IT IS REPAID.** The aggregate amount loaned to a candidate or committee by another individual or political committee, when added to other contributions from that individual or political committee to that candidate or committee, shall not exceed the contribution limitations. A loan, to the extent it is repaid, is no longer a contribution. All loans to a political committee (regardless of amount) must be disclosed on the first report filed with the Commission after the date the loan is made.

When filling out Schedule C, the committee must enter its full name in the box at the top of the page.

DO NOT combine loans owed TO the committee with those owed BY the committee on the same Schedule C. Instead, use a separate Schedule C. Each loan should be reported separately until extinguished.

Loans Owed By The Committee

When a loan is received by the committee, it must be itemized on Schedule A and must also be disclosed on Schedule C (see also instructions for Schedule A for itemizing loans received by the committee). For each loan owed BY the reporting committee at the close of the reporting period, the committee must report certain basic information on Schedule C in the appropriate boxes: (1) full name, mailing address and zip code of the creditor; (2) if the committee is an authorized committee, the election to which the loan applies (i.e., primary, general or other); (3) the original amount of the loan; (4) the cumulative payment to date on the loan; and (5) the outstanding balance at the close of the reporting period (i.e., the remaining unpaid portion of the loan).

Certain additional information must be entered on Schedule C in the box entitled **TERMS**: (1) if an intermediary is reported as the source of the loan, the original source of the loan (which must be disclosed in the first box for endorsers and guarantors with a notation that the person identified is the original source); (2) the date the obligation was incurred; (3) the date the loan is due or the amortization schedule (if there is no due date or amortization schedule, enter “None” on the appropriate line); (4) the actual rate of interest charged on each loan (if the loan does not bear an interest rate, enter “None” on the appropriate line); and (5) check the box if the loan has been secured.

In instances where the loan has endorsers or guarantors, the following information must be supplied: (1) the identification of each endorser or guarantor, and (2) the amount of the endorsement or guarantee outstanding at the close of the reporting period. The term “identification” means (a) in the case of an individual, his or her full name, mailing address, occupation, and name of employer; and (b) in the case of any other person, the person’s full name and address.

Loans owed BY the committee must continue to be reported on each subsequent report until repaid. When a payment is made to reduce or extinguish the amount of a loan owed BY the committee, the payment must be itemized on Schedule B, reported on the appropriate line of the Detailed Summary Page, and included in the “Cumulative Payment to Date” column on Schedule C. If any extension for repayment is granted, this should be reported on the first report after the extension is made.

If a loan is settled for less than the reported amount, the reporting committee must include a statement as to the circumstances and conditions under which the debt or obligation was extinguished and the amount paid. A loan owed BY a political committee which is forgiven or settled for less than the amount owed is a contribution. The total amount of loans owed BY the committee at the close of the

reporting period must be entered on the line for “Total This Period” on the bottom of the last page and transferred to Line 3 of the last page of Schedule D. If no debts or obligations are reported on Schedule D, carry the outstanding balance forward to the Summary Page.

Loans Owed To The Committee

When a loan is made by the committee, it must be itemized on Schedule B and must also be disclosed on Schedule C (see also instructions for Schedule B for itemizing loans made by the committee). For each loan owed TO the committee at the close of the reporting period, the committee must report certain basic information on Schedule C in the appropriate boxes: (1) the full name, mailing address and zip code of each debtor; (2) if the loan was made by a political committee other than an authorized committee and was made to a Federal candidate or authorized committee, the election to which the loan applies (i.e., primary, general or other); (3) the original amount of the loan; (4) the cumulative payment to date on the loan; and (5) the outstanding balance at the close of the reporting period (i.e., the remaining unpaid portion of the loan).

Certain additional information must be entered on Schedule C in the box entitled TERMS: (1) the date the obligation was incurred; (2) the date the loan is due or the amortization schedule (if there is no due date or amortization schedule, enter “None” on the appropriate line); (3) the actual rate of interest charged on the loan (if the loan does not bear an interest rate, enter “None” on the appropriate line); and (4) check the box if the loan has been secured. Loans owed TO the committee must continue to be reported on each subsequent report until repaid. When a payment is received to reduce or extinguish a loan owed TO the committee, the payment must be itemized on Schedule A, reported on the appropriate line of the Detailed Summary Page, and included in the “Cumulative Payment to Date” column on Schedule C. If any extension

of repayment is granted or made, this should be reported on the first report after the extension is made.

The total amount of loans owed TO the committee at the close of the reporting period must be entered on the line for “Total This Period” on the bottom of the last page and transferred to Line 3 of the last page of Schedule D. If no debts or obligations are reported on Schedule D, carry the outstanding balance forward to the Summary Page.

Miscellaneous

Loans by Financial Institutions.

A loan of money by a State bank, a federally chartered depository institution (including a national bank) or a depository institution whose deposits and accounts are insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the National Credit Union Administration is not a contribution by the lending institution if the loan is made in accordance with applicable banking laws and regulations and is made in the ordinary course of business. A loan will be deemed to be made in the ordinary course of business if it: bears the usual and customary interest rate of the lending institution for the category of loan involved; is made on a basis that assures repayment; is evidenced by a written instrument; and is subject to a due date or an amortization schedule.

Candidate Loans. If a candidate personally receives a loan from a financial institution or other person, which is loaned or given to the campaign or used in the campaign, the candidate’s principal campaign committee must disclose all information with respect to that loan. The financial institution or other person must be listed as the original source of the loan and the candidate listed as an intermediary. Loans obtained by an individual prior to becoming a candidate for use in connection with that individual’s campaign must be reported as an outstanding loan owed TO the lender by the candidate’s principal campaign

committee, if the loan is outstanding at the time the individual becomes a candidate.

Loans by Political Committees. If a political committee makes a loan TO any person, the loan shall be subject to the contribution limitations. Repayment to the political committee of the principal amount of the loan is not a contribution by the debtor to the lender committee. The repayment must be made with funds which are permissible under the Act. The payment of interest to the committee by the debtor is a contribution only to the extent that the interest paid exceeds a commercially reasonable rate prevailing at the time the loan is made. All payments of interest must be made from funds which are permissible under the Act.

Endorsers and Guarantors. A loan is a contribution by each endorser or guarantor. Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. In the event that such agreement does not stipulate the portion of the loan for which each endorser or guarantor is liable, the loan shall be considered a loan by each endorser or guarantor in the same proportion to the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors.

Loan Repayments. Each committee must disclose all loan payments received or made by the committee. When a loan repayment is **received by** a committee, the repayment must be itemized on Schedule A and included in the “Cumulative Payment to Date” column on Schedule C. When a loan repayment is **made by** a committee, the repayment must be itemized on Schedule B and included in the “Cumulative Payment to Date” column on Schedule C. For a political committee other than an authorized committee, the total amount of loan repayments received and the total amount of

loan repayments made must be disclosed on the appropriate lines of the Detailed Summary Page. For authorized committees, the total amount of loan repayments of loans made or guaranteed by the candidate and the total amount of loan repayments of all other loans must be disclosed on the appropriate lines of the Detailed Summary Page.

INSTRUCTIONS FOR SCHEDULE C-1, LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS (FEC FORM 4)

Background: FEC Regulations on Loans from Lending Institutions

Schedule C-1 seeks information on loans—including lines of credit—from lending institutions such as state or federally chartered banks, federally insured savings and loan associations or federally insured credit unions. The purpose of Schedule C-1 is to verify that a loan or line of credit does not result in a prohibited contribution from the lending institution, a violation of the federal campaign finance law.

Under FEC regulations at 11 CFR 100.7(b)(11) and 100.8(b)(12), a loan “made in accordance with applicable banking laws” and “in the ordinary course of business” is not considered a contribution if certain conditions are met. One of these conditions is that the loan “is made on a basis which assures repayment.” Schedule C-1 documents whether or not the loan complies with these requirements.

Who Must File Schedule C-1

A political committee that obtains a loan or line of credit from a bank or other lending institution must file Schedule C.

1. An authorized committee of a candidate must also file Schedule C-1 if the candidate obtains a loan or line of credit from a bank or other lending institution and the borrowed funds are used for campaign purposes. 11 CFR 104.3(d)(1). (See Schedule C instructions on Candidate Loans.)

When to File Schedule C-1

A Schedule C-1 must be filed for each loan and each line of credit obtained from a lending institution. 11 CFR 104.3(d)(1).

Loans. A committee must file a Schedule C-1 with its next report when it first obtains a loan and in succeeding reporting periods each time the terms of the loan are restructured. 11 CFR 104.3(d)(1) and (3). (A restructured loan is considered a new loan.)

Lines of Credit. A committee must file a Schedule C-1 with its next report when a line of credit is established and in succeeding reporting periods each time any draws are made on the line of credit and each time the line of credit is restructured to change the repayment terms. 11 CFR 104.3(d)(1) and (3).

Reporting Loans and Lines of Credit on Schedules A and C

Schedule A. When a candidate or committee obtains a loan, the committee must itemize the receipt on a Schedule A for the appropriate line number. However, a line of credit is itemized on Schedule A only when the candidate or committee obtains funds by making a draw on the credit.

Schedule C. As with all loans, loans from lending institutions (including lines of credit) must be continuously disclosed on Schedule C, starting with the first report due after the committee obtains the loan and continuing with each report thereafter until the loan is repaid.

Line-by-Line Instructions

Schedule C Cross-Reference. Enter the Schedule C page number where information on the loan or line of credit appears.

Name of Committee Obtaining Loan. Enter the full name of the reporting committee.

Identification Number. Enter the reporting committee’s FEC identification number. If the committee is newly registered and has not yet obtained a number, enter “not yet assigned.”

Name/Address of Lender. Enter the full name, address and zip code of the lending institution.

Loan Amount. Enter the amount of the loan or line of credit. If reporting a restructured loan or line of credit, enter the amount under the new terms. 11 CFR 104.3(d)(1)(i) and (3).

Interest Rate. Enter the annual percentage rate (APR) of interest on the loan or each draw on the line of credit. If reporting a restructured loan or line of credit, enter the interest rate under the new terms. 11 CFR 104.3(d)(1)(ii) and (3).

Date Incurred or Established. Enter the date the candidate or committee incurred the debt by signing the loan agreement (the original agreement or a restructured agreement, as appropriate). 11 CFR 104.3(d)(1)(i) and (3).

Due Date. Enter the date on which full repayment of the loan or line of credit is due (under the original agreement or a restructured agreement, as appropriate). 11 CFR 104.3(d)(1)(ii) and (3).

A. Restructured Loans. Check yes if the loan or line of credit has been restructured to change the terms; enter the date on which the original loan or line of credit was incurred. 11 CFR 104.3(d)(3).

B. Draws on Line of Credit. If reporting a draw on a line of credit, enter the amount of the draw and the outstanding balance owed on the line of credit (cumulative draws less any repayments made). 11 CFR 104.3(d)(1)(ii).

C. Secondary Sources of Repayment. Check yes if the loan or line of credit was endorsed or guaranteed by secondary parties. 11 CFR 104.3(d)(1)(iii). Information on endorsers and guarantors must be disclosed on Schedule C. (Note that guarantees and endorsements of loans are considered contributions; see Schedule C instructions.)

D. Traditional Collateral Check yes if the loan or line of credit was obtained using traditional sources of collateral, and list the specific assets that were pledged. Enter the total fair market value of the collateral as of the date of the loan agreement. Indicate whether the lender has a perfected security interest in the collateral. 11 CFR 104.3(d)(1)(iii). (Note that a perfected security interest is a requirement under FEC regulations. 11 CFR 100.7(b)(11)(i)(A)(1) and 100.8(b)(12)(i)(A)(1).)

E. Future Receipts as Collateral. Check yes if the loan or line of credit was obtained using future receipts as collateral; list the types of receipts that were pledged; and enter their estimated amount. 11 CFR 104.3(d)(1)(iii). Enter the date the separate account was established for the deposit of pledged receipts. (A depository account is required under 11 CFR 100.7(b)(11)(i)(B) and 100.8(b)(12)(i)(B).) Provide the full name and address of the depository institution where the account was established.

F. Other Means of Obtaining Loan. Complete this section if “no” was checked in sections C, D, and E or if the amount cosigned and/or pledged for the loan or line of credit is less than the loan amount. If so, state the basis upon which the loan was made and the basis on which it assures repayment. 11 CFR 104.3(d)(1)(iv).

G. Treasurer’s Signature and Date. The committee treasurer (or properly designated assistant treasurer) must sign and date the form; the signer’s name should be printed or typed beside the signature.

H. Copy of Loan Agreement. Attach a copy of the signed agreement. 11 CFR 104.3(d)(2).

I. Lender Certification. An authorized representative of the lending institution must sign and date the form to certify that the lender has complied with items I through III. 11 CFR 104.3(d)(1)(v). The representa-

tive’s name should be printed or typed beside his or her signature. The representative’s title must also be entered.

INSTRUCTIONS FOR SCHEDULE D, DEBTS AND OBLIGATIONS (FEC FORM 4)

When filling out Schedule D, the committee must enter its full name in the box at the top of the page.

DO NOT combine debts and obligations owed to the committee with those owed by the committee on the same Schedule D. Instead, use a separate Schedule D.

Debts and Obligations Owed BY the Committee (Other Than Loans)

For debts and obligations owed BY the reporting committee at the close of the reporting period and which are required to be disclosed, the committee must report the full name and mailing address of each creditor, the amount of the debt outstanding at the beginning of the period, the amount of the debt or obligation incurred this period (including any finance charges), the payment(s) this period to retire the debt or obligation, the outstanding balance at the close of the reporting period and the nature or purpose of the debt and obligation. The terms “nature” or “purpose” mean a brief statement or description of why the debt or obligation was incurred (e.g., media, salary, polling, supplies, mailing).

A written contract (including a media contract), promise, or agreement to make an expenditure which has not been paid for by the committee is an expenditure as of the date the contract, promise or obligation is made and is subject to the reporting requirements. Accounts payable and written contracts, promises, or agreements to make expenditures, in amounts of \$500 or less, need not be disclosed until outstanding for sixty days or more.

Debts and obligations owed BY the committee must continue to be reported on each subsequent report until extinguished or settled in a manner permitted by Federal Election Commission regulations (see 11 CFR Part 116 for settlement of corporate

debts). When a payment is made to reduce or extinguish an obligation owed BY the committee, the payment must be itemized on Schedule B, reported on the appropriate line of the Detailed Summary Page, and included in the “Payment This Period” column on Schedule D. If a debt or obligation is settled for less than the reported amount or value, the reporting committee must include a statement as to the circumstances and conditions under which the debt or obligation was extinguished and the amount paid. A debt owed BY a political committee which is forgiven or settled for less than the amount owed is a contribution unless the debt is forgiven or settled in accordance with 11 CFR Part 116. The extension of credit by any person for a length of time beyond normal business or trade practice is a contribution, unless the creditor has made a commercially reasonable attempt to collect the debt. The total amount of debts and obligations owed BY the committee during the reporting period must be entered at the bottom of the last page under “Total This Period” and added to the total loans owed BY the committee from Schedule

C. The total amount of debts and obligations owed BY the committee (including loans) must be carried forward to the Summary Page.

Debts and Obligations Owed TO the Committee (Other Than Loans)

For each debt and obligation owed TO the committee at the close of the reporting period, the committee must report: the full name and mailing address of each debtor, the amount of the debt outstanding at the beginning of the period, the amount of the debt or obligation incurred this period, the payment(s) this period to retire the debt or obligation, the outstanding balance at the close of the reporting period and the nature or purpose of the debt or obligation. The terms “nature” or “purpose” mean a brief statement or description of why the debt or obligation was incurred (e.g., media, salary, polling, supplies, mail-

ing). Written contracts or agreements (such as signed pledge cards), or oral promises to make contributions are not required to be reported.

Debts and obligations owed TO the committee must continue to be reported on each subsequent report until extinguished. When a payment is received to reduce or extinguish a debt or obligation owed TO the committee, the payment must be itemized on Schedule A, reported on the appropriate line of the Detailed Summary Page, and included in the “Payment This Period” column on Schedule D. The total amount of debts and obligations owed TO the committee during the reporting period must be entered at the bottom of the last page under “Total This Period” and added to the total loans owed TO the committee from Schedule C. The total amount of debts and obligations owed TO the committee (including loans) must be carried forward to the Summary Page.