

## FEDERAL ELECTION COMMISSION

# Instructions for FEC FORM 10, 24-Hour Notice of Expenditure of Personal Funds (11 CFR 400.21 and 400.22 (Millionaires' Amendment))

## Who Must File

**Senate Candidates.** A committee for the U.S. Senate must file this form initially when the candidate makes or obligates to make expenditures from personal funds aggregating in excess of 2 times the threshold amount published by the Commission in connection with any election. The committee must also file this form each time the candidate makes, or obligates to make, expenditures from personal funds that, in the aggregate, exceed \$10,000 since the last time that the committee was required to file this report. 11 CFR 400.21(a) and 400.22(a).

**House Candidates.** A committee for the U.S. House must file this form initially when the candidate makes or obligates to make expenditures from personal funds aggregating in excess of \$350,000 in connection with any election. The committee must also file this form each time the candidate makes, or obligates to make, expenditures from personal funds that, in the aggregate, exceed \$10,000 since the last time that the committee was required to file this report. 11 CFR 400.21(b) and 400.22(b).

## When to File

**Senate Candidates.** The Commission must receive this report no later than 11:59 p.m. Eastern Standard/Daylight Time of the day following the date on which a candidate for the U.S. Senate makes or obligates to make expenditures from personal funds aggregating in excess of 2 times the threshold amount published by the Commission in connection with any election. Note: if the candidate makes expenditures that trigger the threshold for both the primary and general elections, submit a separate Form 10 for each election. Also the Commission must receive this report no later than 11:59 Eastern Standard/Daylight Time of the day following the date on which the candidate makes

or obligates to make subsequent expenditures from personal funds aggregating in excess of \$10,000. 11 CFR 400.21(a) and 400.22(a).

**House Candidates.** The Commission must receive this report no later than 11:59 p.m. Eastern Standard/Daylight Time of the day following the date on which a candidate for the U.S. House makes or obligates to make expenditures aggregating in excess of \$350,000 in connection with any election. Note: if the candidate makes expenditures that trigger the threshold for both the primary and general elections, submit a separate Form 10 for each election. Also, the Commission must receive this report no later than 11:59 p.m. Eastern Standard/Daylight Time of the day following the date on which the candidate makes or obligates to make subsequent expenditures from personal funds aggregating in excess of \$10,000. 11 CFR 400.21(b) and 400.22(b).

## Where to File

**Senate Candidates.** The principal campaign committee of a candidate seeking nomination or election to the United States Senate must file Form 10 with the Secretary of the Senate, Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510-7116. Mail addressed to the Secretary of the Senate should read: "Office of Public Records, P.O. Box 5109, Alexandria, VA 22301-0109." The principal campaign committee must also send a copy of Form 10 (or the information contained therein) to the Commission by facsimile machine (to 202-219-0174) or by electronic mail to (2022190174@fec.gov). The committee must also simultaneously send a copy via facsimile machine or electronic mail to each opposing candidate. For purposes of a primary election, opposing candidate means another candidate seeking the nomination of the same political party. For purposes of the general elec-

tion, opposing candidate means another candidate seeking election to the same office. See 11 CFR 400.3. Fax numbers and electronic mail addresses for opposing candidates should be available on the Statement of Organization (FEC Form 1) filed by the principal campaign committee (PCC) of each opposing candidate. The Statements of Organization can be viewed on the FEC's web site at [www.fec.gov](http://www.fec.gov). 11 CFR 400.24(a).

**House Candidates.** The principal campaign committee of a candidate seeking nomination or election to the United States House must file Form 10 electronically with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. The committee must also simultaneously send a copy of Form 10 (or the information contained within) via facsimile machine or electronic mail to each opposing candidate and the national party committee of each opposing candidate. For purposes of a primary election, opposing candidate means another candidate seeking the nomination of the same political party. For purposes of the general election, opposing candidate means another candidate seeking election to the same office. See 11 CFR 400.3. Fax numbers and electronic mail addresses for opposing candidates and their national party committees should be available on the Statement of Organization (FEC Form 1) filed by the principal campaign committee (PCC) of each opposing candidate and the national party committees, respectively. The Statements of Organization can be viewed on the FEC's web site at [www.fec.gov](http://www.fec.gov). 11 CFR 400.24(b).

**State Filing.** House candidates in Guam and Puerto Rico must file a copy of this form with those territories. (As of August 2005, those territories had not qualified for the state filing waiver program.)

**Limited Circumstance Under Which Filing of FEC Form 10 Will Also Satisfy FEC Form 6 (48-Hour Notice of Contributions/Loans Received) Filing Requirement.** Please note that if FEC Form 10 is filed for candidate contributions, candidate personal loans, candidate advances, or endorsements of loans from a lending institution by the candidate of \$1,000 or more received after the 20th day but more than 48 hours before 12:01 a.m. on the day of the election, the filing of FEC Form 10 will satisfy the FEC Form 6 (48-Hour Notice of Contributions/Loans Received) filing requirement for those same receipts. This limited exception to the requirement to file a separate FEC Form 6 in such circumstances is only applicable when the FEC Form 10 is filed within the 48-hour filing time frame for the FEC Form 6.

*Example:* Eighteen days before his primary election, Joe Candidate loans \$500,000 from his personal funds to his campaign. Because the amount is over \$1,000 and the loan was made after the 20th day but more than 48 hours before the election, Joe's campaign must file Form 6 to disclose the last-minute contribution. 11 CFR 104.5(f). Since the candidate's loan exceeds the personal funds threshold amount (i.e., \$350,000 for a House campaign), Joe's campaign must also file Form 10 within 24 hours to disclose his expenditure of personal funds. 11 CFR 400.21. In this limited circumstance, where the same expenditure triggers the requirement to file both Form 6 and Form 10, the campaign need only file Form 10 (within 24 hours), checking box 13(a) and providing the required information to fulfill the Form 6 filing requirement.

### Line-by-Line Instructions

LINE 1. Name of Candidate. List the name of the candidate.

LINE 2. Office Sought. List the office the candidate is seeking (House or Senate).

LINE 3. State. List State.

LINE 4. District. List district if applicable.

LINE 5. Candidate ID Number. List the identification number (beginning with H for a House candidate or S for a Senate candidate) issued to the candidate by the FEC after his or her Statement of Candidacy was filed.

LINE 6. Name of Principal Campaign Committee. List the name of the committee the candidate named as his or her principal campaign committee on FEC Forms 1 and 2 (the Statement of Organization and Statement of Candidacy, respectively).

LINE 7. Committee ID Number. List the identification number (beginning with C) issued to the principal campaign committee by the FEC after its Statement of Organization was filed.

LINE 8. Address. List the address of the principal campaign committee.

LINE 9. City, State and Zip Code. Provide the requested information for the principal campaign committee.

LINE 10. Expenditures of Personal Funds. In the box for "Aggregate Expenditures Previously Reported During the Election Cycle," list the total amount reported on Line 11 of the most recent Form 10 filed. For purposes of this form, "election cycle" means the period beginning on the day after the date of the most recent election for the specific office or seat that a candidate is seeking and ending on the date of the next election for that office or seat. A primary election and a general election are considered to be separate election cycles, but a run-off election is considered to be part of the election cycle of the election necessitating the run-off election. 11 CFR 400.2. For each expenditure of personal funds made, list the required information (date, election made for, as described above, and amount). Note: Do not combine election cycles on a single Form 10. If the candidate has made expenditures for different elections, submit a separate Form 10 for each election. If the expenditure was made in the form of a loan from the candidate to his or her committee, check the appropriate box.

LINE 11. Total Expenditures This Notice. Total the expenditures listed on the notice.

LINE 12. Total Expenditures Election Cycle to Date. If this is the first notice filed for the election cycle, carry the total forward from Line 11 to Line 12. If this is not the first notice filed during the election cycle, add the total from Line 11 to the total listed at the top of Line 10 as "Aggregate Expenditures Previously Reported During the Election Cycle."

LINE 13. 48-Hour Notice of Last-Minute Contributions. In some cases, Form 10 may be used to satisfy both Form 10 and Form 6 filing requirements. See "Limited Circumstance Under Which Filing of FEC Form 10 Will Also Satisfy FEC Form 6 (48-Hour Notice of Contributions/Loans Received) Filing Requirement" above for more information on when to fill out this Line.

13(a). Check box if using Form 10 to satisfy the requirement to file FEC Form 6 to disclose a last-minute contribution or loan of \$1,000 or more. Otherwise, leave Line 13 blank.

13(b). Provide the name of employer for the candidate. "Employer" means the organization or person by whom an individual is employed, and not the name of his or her supervisor. Use "self-employed" if applicable.

13(c). Provide the occupation of the candidate. "Occupation" means the principal job title or position of an individual.

**The committee treasurer must sign and date the form. 11 CFR 400.25.**