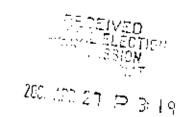


FEDERAL ELECTION COMMISSION Washington, DC 20463



AGENDA ITEM

SUBMITTED LATE

For Meeting of: 5-3-01

APR 2 7 2001

MEMORANDUM

TO:

The Commission

THROUGH:

James A. Pehrkon

Staff Director

FROM:

Lois G. Lerner

Acting General Counsel

N. Bradley Litchfield

Associate General Counse

Rosemary C. Smith

Assistant General Counsel

Cheryl A. Fowle

Attorney

SUBJECT:

Addendum to the Revised Notice of Proposed Rulemaking on

Independent Expenditure Reporting

The Office of General Counsel, at the request of Commissioner Wold, drafted the attached addendum to the revised NPRM for Independent Expenditure Reporting (Agenda Document 01-25). The addendum would replace the proposed revisions to 11 C.F.R. 104.18(h) with a clearer version of that paragraph. The addendum also contains an explanation of the changes to paragraph 104.18(h) for the narrative.

Recommendation

The Office of General Counsel recommends that the Commission approve the attached addendum for incorporation into the Notice of Proposed Rulemaking.

Attachment

1	Addendum to Agenda Document 01-25 for the May 3, 2001 Open Meeting						
2							
3	 Page 10, lines 10 through 12 would be replaced with the following: 						
4	The Commission is proposing to reorganize paragraph (h) of section 104,18 to						
5	clarify what paper documents must accompany electronically filed reports, and when						
6	those paper copies must be filed. The Commission also proposes removing FEC Form 5						
7	and Schedule E from the list of documents with special signature requirements.						
8	Additionally, the Commission proposes adding FEC Schedule C-P-1 to the list of						
9	documents requiring special signatures. Schedule C-P-1 is used by Presidential						
10	candidates to report loans and lines of credit from lending institutions, and, like Schedule						
11	C-1 (used by non-Presidential committees) requires the lending institution agent's						
12	signature.						
13							
14	2. Page 10, line 15 add the following after "accessible":						
15	to the public						
16							
17	3. Page 16 line 20 through page 17 line 12 would be replaced with the following:						
18	§ 104.18 Electronic filing of reports (2 U.S.C. 432(d) and 434(a)(11)).						
19	(h) (1) The following are schedules and forms that require the filing of additional						
20	documents and that have special signature requirements:						
21	(i) Schedules C-1 and C-P-1, Loans and Lines of Credit From Lending						
22	Institutions (see 11 CFR 104.3(d)); and						

1		(ii) Form 8, Debt Settlement Plan (see 11 CFR 116.7(e)).
2	(2)	If a person files a report electronically by submitting a diskette to the
3		Commission and is required to file any of the schedules or forms listed in
4		paragraph (h)(1) of this section, the person shall file a paper copy of the
5		required schedule or form with the electronic submission, or a digitized
6		version as a separate file in the electronic submission, by the close of
7		business on the prescribed filing date.
8	(3)	If a person files a report electronically by uploading the data to the
9		Commission's electronic filing system and is required to file any schedules
10		or forms listed in paragraph (h)(1) of this section, the person shall file a

close of business on the prescribed filing date.

paper copy or a digitized version of the required schedule or form by the

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