



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

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**MEMORANDUM**

**TO:** The Commission  
**THROUGH:** James A. Pehrkon *[Signature]*  
Staff Director  
**FROM:** Lois G. Lerner *LLG/NPK*  
Acting General Counsel  
N. Bradley Litchfield *NBL*  
Associate General Counsel  
Rosemary C. Smith *RC5*  
Assistant General Counsel  
Cheryl A. Fowle *[Signature]*  
Attorney

**AGENDA ITEM**  
For Meeting of: 5-3-01

**SUBMITTED LATE**

**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 **1. 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  
11 paper copy or a digitized version of the required schedule or form by the  
12 close of business on the prescribed filing date.

