

**SAMPLE I  
 SCHEDULE OF EXCESS RISKS**

|   |           |                              |      |
|---|-----------|------------------------------|------|
| Company Name                            | XXXX      | Contact Person               | XXXX |
| Location of Company                     | XXXX      | Contact Person Title         | XXXX |
| NAIC Company Code                       | XXXX      | Contact Person Telephone No. | XXXX |
| Quarter Ended                           | XXXX      | Contact Person E-Mail        | XXXX |
| <b>Treasury Underwriting Limitation</b> | 1,100,000 |                              |      |

Report each risk written in excess of the underwriting limitation established by the Treasury. (This applies to casualty and other lines of business as well as surety risks whether or not the United States is obligee.) In protecting excess risks, the underwriting limitation in force on the date of the execution of the risk, as shown in Treasury Circular 570, will govern absolutely.

| Number | Date   | Principal (If Surety) Or Class (If Other Lines)                               | Obligee (If Fidelity Or Surety) Or Insured (If Other Lines) | Amounts of Risks                               |   | Net Retention          | Coinsurance Or Reinsurance         |  |  | Market Value Of Admissible Assets Pledged (Attach Copy Of Trust, Joint Control Or Indemnity Agreement) | Retention For Treasury Purposes | Remarks  |
|--------|--------|---|---|--|---|------------------------|------------------------------------|--|--|--|---------------------------------|--|
|        |        |   |   | Penal Sum (If Bond) Or Face Amount (If Policy) | Maximum Liability (If Less Than Penal Sum Or Face Amount) |                        | Date Of Coinsurance Or Reinsurance | Name Of Coinsuring Or Reinsuring Company | Amount of Treasury Authorized Coinsurance (Denote With*) Or Authorized Reinsurance |  |                                 |  |
| 1234   | 1/1/XX | BI & PD   | Jones & Co.<br>BI   | \$10,000,000                                   | FACULTATIVE   | \$200,000              | 1/1/XX                             | A.B.C. Reinsurance Co.                   | \$9,800,000  |  | \$200,000                       |  |
|        |        |   | PD  | \$5,000,000                                    |   | \$100,000              | 1/1/XX                             | A.A.A. Reinsurance Co.                   | \$4,900,000  |  | \$100,000                       |  |
| 1235   | 1/1/XX | Fire 5 locations none in Excess of \$1,000,000                                | Smith & Co.   | 5000000  | \$1,000,000 per location                                  | \$100,000 per location | 1/1/XX                             | X.Y.Z. Reinsurance Co.                   |  | \$900,000 per location   | 1000000                         |  |
| 1236   | 1/1/XX | AAA Oil Co. (Performance Bond Annual Fuel Supply Contract XXX Air Force Base) | U.S. Air Force  | \$10,000,000                                   | \$10,000,000  | \$100,000              | 1/1/XX                             | A.B.C. Reinsurance Co.                   | \$9,900,000  |  | \$100,000                       | (SF 275 - Reinsurance Agreement in Favor of the U.S. Attached) |

**AFFIDAVIT**

State of XXX  
 County of XXX  
XXX, President, and XXX, Secretary of the COMPANY NAME of Town, State, being duly sworn, depose and say, and each for himself says, that they are the above-described officers of the said company, that the foregoing schedule (with the accompanying exhibits) contains a full, true, and correct statement of all recognizances, stipulations, bonds, undertakings, or other risks, whereon the liabilities are in excess of its Treasury underwriting limitation, executed by the said company and its agents on behalf of any individual, firm, association, or corporation, during the quarter ended XXX, 20 XX; and, further, that the statements and declarations contained herein are correct and true in every particular.

Subscribed and sworn to before me this XXX day of XX, 20 XX

XXX Notary Public  
XXX President  
XXX Secretary

NOTE TO PRESIDENT AND SECRETARY: If any amount in the "Retention for Treasury Purposes" column exceeds the "Treasury Underwriting Limitation", it is probable that applicable Treasury regulations have been violated (see Treasury Circular 297, sections 223.10, .11 and .13). If so, immediate remedial measures are required to comply with the regulations.



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| Number | Date   | Principal (If Surety) Or Class (If Other Lines)  | Obligee (If Fidelity Or Surety) Or Insured (If Other Lines) | Amounts of Risks                               |   | Net Retention          | Coinsurance Or Reinsurance         |  |  |   | Market Value Of Admissible Assets Pledged (Attach Copy Of Trust, Joint Control Or Indemnity Agreement) | Retention For Treasury Purposes      | Remarks   |
|--------|--------|--|---|--|---|------------------------|------------------------------------|--|--|---|--|--------------------------------------|---|
|        |        |  |   | Penal Sum (If Bond) Or Face Amount (If Policy) | Maximum Liability (If Less Than Penal Sum Or Face Amount) |                        | Date Of Coinsurance Or Reinsurance | Name Of Coinsuring Or Reinsuring Company                       | Amount of Treasury Authorized Coinsurance (Denote With*) Or Authorized Reinsurance | Amount of Unauthorized Coinsurance (Denote With*) Or Unauthorized Reinsurance |  |                                      |   |
| 1237   | 1/1/XX | XYZ Construction Co. (Performance and Payment Bond - Construction of Post Office)  | U.S. Post Office PE Department PY                           | \$10,000,000<br>\$ 5,000,000                   |   | \$100,000<br>\$ 50,000 | 1/1/XX<br>2/1/XX                   | Company A.A.A. Surety Company<br>Company B.B.B. Surety Company | \$3,300,000*<br>\$3,300,000*<br>\$3,300,000*                                       |   |  | <u>\$100,000</u><br><u>\$ 50,000</u> | *(Payment Bond Coinsured with Same Sureties in the Same Manner - SF 273 and 274 attached)       |
| 1238   | 1/1/XX | ABC Construction Company (Performance and Payment Bond - Construction of Government Office Building)   | U.S. Department of Health and Human Services                | \$10,000,000                                   |   | \$500,000              |                                    | A.A.A. Surety Company  | \$9,500,000  |   |  | <u>\$500,000</u>                     | (SF 273 and 274 - Reinsurance Agreements for Miller Act Performance and Payment Bonds Attached) |
| 1239   | 1/1/XX | Field Corn Incorporated (Grain Elevator Bond on Contents)  | U.S. Department of Agriculture                              | \$10,000,000                                   | \$1,000,000 per location                                  | \$200,000              | 1/5/XX                             | A.B.C. Bonding Company   | \$800,000  |   |  | <u>\$200,000</u>                     | (SF 275 - Reinsurance Agreement in Favor of the U.S. Attached)                                  |
| 1240   | 2/1/XX | Fire, Assumed Reinsurance BBB Fire Insurance Company. Their policy No. 6890. 50% quota share per location. No location in excess of \$1,500,000. | City School District  | \$20,000,000                                   | \$750,000 per location                                    | \$150,000              | 2/1/XX                             | X.Y.Z. Insurance Company                                       |  | \$600,000 per location  |  | <u>\$750,000</u>                     |   |
| 1241   | 1/1/XX | Jane Doe - Administratrix, Estate of John Doe.   | Estate of John Doe and Probate Court                        | \$1,200,000                                    |   | N.A.                   | 1/1/XX                             | Joint Control  |  |   | \$1,200,000  | N.A.                                 | (Copy of Joint Control Aggrement - Attached)  |
| 1242   | 1/1/XX | J. Jones Contractor  | U.S.A. (Army) Performance                                   | \$1,500,000                                    |   | \$1,000,000            | 1/1/XX                             | Assets Pledged   |  |   | \$500,000  | <u>\$1,000,000</u>                   | (Copy of Pledge Agreement - Attached)   |

## SPECIFIC INSTRUCTIONS

Column A "Number" - Insert number of bond or policy.

Column B "Date" - Insert date bond or policy was written.

Column C "Principal (if surety) or Class (if other lines)" - Insert name of principal (if bond)

Column D "Obligee (if fidelity or surety) or Insured (if other lines)" - Insert name of obligee if fidelity or surety or name of insured if other line.

Column E "Penal Sum (if bond) or Face Amount (if policy)" - Insert penal amount of bond or face amount of insurance policy.

Column F "Maximum Liability (if less than penal sum or face amount)" - Insert maximum liability if less than penal sum of bond or face amount of insurance policy. This column is used only in cases where policies cover more than one risk, i.e., casualty policies covering more than one location, or where bonds, such as fiduciary bonds are given for more than the value of the assets in an estate. (See Section 223.13 of Treasury Circular 297 - 31 CFR 223.13.)

Column G "Net Retention" - Insert net retention (amount of risk retained by company after coinsurance, reinsurance or admissible collateral is obtained).

Column H "Date of Coinsurance or Reinsurance" - Insert date of coinsurance or reinsurance

Column I "Name of Coinsuring or Reinsuring Company" - Insert names of coinsuring or reinsuring companies

Column J "Amount of Treasury Authorized Coinsurance or Authorized Reinsurance" - Insert amount of coinsurance or reinsurance ceded to companies recognized by Treasury for reinsurance purposes opposite their names. See lists of reinsurers which accompanied Treasury's last Annual Letter to Executive Officers of Surety Companies Reporting to the Treasury for names of companies recognized by the Treasury for reinsurance purposes. Indicate coinsurance by single asterisk.

Column K "Amount of Unauthorized Coinsurance or Authorized Reinsurance" - Insert amount of coinsurance or reinsurance ceded to companies not recognized by the Treasury opposite their names.

Column L "Market Value of Assets Held to Secure Excess Liability (if indemnity or joint control or indemnity agreement)" - Insert market value of any admissible assets held to secure each excess risk. If protection of the excess liability is being achieved by pledged assets, assets held in trust, assets held under collateral agreement of indemnity or joint control, insert market value of such assets. In order to qualify, pledged assets should be of the type that would be admissible if owned directly by the reporting company. See Sections 223.10 - .11 of Treasury Circular 297 for applicable regulations (31 CFR 223.10 - .11).

Column M "Retention for Treasury Purposes" - Insert Retention for Treasury purposes. This amount should equal the company's net retention plus cessions to unauthorized coinsurers or reinsurers, less the market value of any admissible assets held to secure the risk and must not exceed the reporting company's Treasury underwriting limitation. For bonds naming the United States or one of its agencies or instrumentalities as obligee, a copy of the appropriate reinsurance agreement should be attached and a remark written in column (17) "Reinsurance Agreement Attached." Reinsurance Agreements on Federal bonds should be executed on Standard Forms (SF) 273, 274, or 275. Use SF-273 for Miller Act performance bonds; SF 274 for Miller Act payment bonds; and SF 275 for other Federal bonds. The previous Treasury form nos. FMS 6317, FMS 6318, and FMS 6319 may continue to be used. (See paragraph) 223.11 (b) (1) of Treasury Circular 297 - 31 CFR 223.11 (b) (1).)

## **SPECIFIC INSTRUCTIONS**

**Note: If no risks are written in excess of the underwriting limitation, indicate such by inserting the word "NONE" on the form.**

## SPECIFIC INSTRUCTIONS

companies.

## GENERAL INSTRUCTIONS

A. REPORT EACH RISK SEPARATELY WITH THE EXCEPTION OF TREATY REINSURANCE AND PAYMENT BONDS AS MENTIONED BELOW.

B. SURETY RISKS: All surety risks should be reported in detail.

C. CONTRACT BONDS: A separate entry on the form may be used to report the performance bond and the payment bond on a single contract. However, in cases where the performance bond and the payment bond for a single contract are reinsured in the same manner it is permissible to report the details of the performance bond and a statement indicating "payment bond also protected in the same manner".

D. FACULTATIVE REINSURANCE: All excess risks protected by facultative reinsurance should be reported in detail. Use a separate line on the form for each risk.

E. RISKS COVERED BY TREATIES: In property - liability lines of business such as automobile and public liability, where the excess risks may be quite numerous and where reinsurance of such risks is covered automatically under reinsurance agreements or treaties, it is not necessary to report risks in detail. A condensed summary showing the names of the reinsuring companies and the limits accepted by them on the various classes of business should be noted on the schedule. Treaty reinsurance should be reported in dollar amounts rather than percentages, with dollar amounts inserted for the largest risk written under the treaty. Each treaty should be reported separately on the form. If it is necessary to submit the details of a particular treaty in successive quarterly reports reproduced summaries may be submitted attached to form 285-A.

F. BLANK FORMS: FMS 285-A. A supply of blank forms is available from the Treasury. Blank reinsurance agreement forms are also available, i.e., Standard Forms (SF) 273, 274, 275. A set of two FMS 285-A forms is mailed to each reporting company each quarter.

G. SPECIMEN FORMS: A specimen form, FMS 285-A properly filled out, is available from the Treasury upon request.

H. TREASURY ADDRESS: Requests for blank forms, specimen forms, and questions should be addressed to:

U.S. Treasury Department  
Financial Management Service  
Surety Bond Branch  
3700 East/West Highway, Room 6F04  
Hyattsville, MD 20782  
Telephone: (202) 874-6850

I. REPORTING DATES: The completed Schedule of Excess Risks (form FMS 285-A) together with the reporting company's quarterly financial statement should be submitted to the same address, within 45 days after the close of each quarter.