



Reports Analysis Division (RAD)

Reports Analysis Division
Federal Election Commission
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www.fec.gov/rad

Mission Statement

The ultimate mission of the Reports Analysis Division (RAD) is to ensure that campaigns and political committees file timely and accurate reports that fully disclose their financial activities. RAD is responsible for reviewing statements and financial reports filed by political committees participating in Federal elections, providing assistance and guidance to the committees to properly file their reports, and for taking appropriate action to ensure compliance with the FECA. By enforcing the rules in a fair and objective manner, RAD fosters the electorate's faith in the ultimate integrity of the nation's political process.

Review of Reports

RAD analysts review reports filed by committees and other entities in accordance with the RAD Review and Referral Procedures ("the RAD Procedures") and make determinations on whether or not to send a Request for Additional Information (RFAI) to the filer. The RAD Procedures include 30 review categories with thresholds for sending RFAs and for making referrals for further Commission action. Examples of the review categories include

prohibited, excessive and impermissible contributions; mathematical discrepancies; failure to provide supporting schedules; and failure to properly itemize contributions and disbursements. The RAD Procedures are approved by the Commission for every two-year election cycle.

The thresholds in the RAD Procedures are applied on a per-report basis. This means that a committee may receive an RFAI which includes the same issue as an RFAI sent on a prior report. In addition, several issues may be aggregated together to meet a single threshold, so it is possible to see an issue questioned on one report that is not included in an RFAI for another report. In reviewing a committee's response to an RFAI, RAD does not consider the committee's previous responses to RFAs sent on other reports. An exception is a response that outlines adequate procedures for establishing "best efforts" to obtain contributor information, which would apply to the two-year election cycle.

The RAD Review and Referral Procedures can be found at http://www.fec.gov/law/procedural_materials.shtml. The thresholds are confidential and therefore, have been redacted.

Requests for Additional Information (RFAs)

An RFAI is sent to the committee when a RAD analyst identifies an error, omission, need for additional clarification, or possible prohibited activity, and that activity meets an established threshold in the RAD Procedures. The RFAI affords the committee an opportunity to correct or clarify the public record. Committees have **35** days from the RFAI sent date to adequately respond. Extensions are not granted.

Filers are encouraged to contact their assigned RAD analyst to discuss how to respond to an RFAI. The name and phone number of the assigned analyst can be found at www.fec.gov/rad by using the Campaign Finance Analyst look up feature.

RFAs are sent electronically. Committees should ensure that the email address on its most recent Statement of Organization (FEC Form 1) is current. If an email address has not been provided, the RFAI will be sent by USPS mail. Committees may request that RFAs be sent via USPS mail by filing a Miscellaneous Text Submission (Form 99). All RFAs can be accessed and printed from the FEC

website: http://www.fec.gov/finance/disclosure/imaging_info.shtml.

How do I respond to an RFAI?

Generally, committees can respond to an RFAI in one of two ways. Please contact your assigned analyst if you have specific questions or are unsure of how to respond.

1. File an amendment – this is used when a committee needs to change, add, or delete information on the report (e.g., correcting year-to-date contribution totals).
2. File a Miscellaneous Text Submission (Form 99) – this is used to provide a narrative response (e.g., demonstrating best efforts for obtaining contributor information).

Please take note of the response due date in the upper right hand corner of the RFAI and respond on time. Providing a timely and adequate response is the best way to prevent further action against the committee.

Further Commission Action

Referrals to the Alternative Dispute Resolution Office and the Office of General Counsel

A committee that fails to respond or responds inadequately to an RFAI may be referred for further Commission action. The RAD Procedures specify the thresholds for determining when a matter should be referred to the Alternative Dispute Resolution Office, the Office of General Counsel, or the Administrative Fine Program. A RAD analyst will call the committee before making a referral to explain the RFAI and give the committee an opportunity to respond. The referral may be cancelled if the committee provides an adequate response.

Referrals to the Audit Division

The Audit Division is authorized by the Commission to conduct audits of committees whose reports do not meet the internal threshold requirements for substantial compliance with the Federal Election Campaign Act. Insufficient and/or untimely responses to RFAs, combined with the level of financial activity and election results (for Authorized committees only) are the factors used to make recommendations for an audit.

Please note that the number of amendments filed by the committee is not a factor in determining whether or not the committee will be audited.

Filers are encouraged to amend their reports to accurately disclose activity. Also, the number of RFAs a committee receives is not a factor if the responses are timely and adequate.

Frequently Asked Questions

Where can I find my previously filed reports and any RFAs that have been sent to my committee?

Images of filed reports and/or RFAs can be found by using the FEC's Candidate/Committee Viewer on the website. Enter your committee information, and your reports/RFAs will be listed by year and report type. www.fec.gov/finance/disclosure/adv-search.shtml.

When is my next report due?

Your reporting schedule depends on your committee type and filing frequency. Please consult the "Reporting Dates" section of the FEC website for more information: www.fec.gov/info/report_dates.shtml.

How do I file my reports electronically?

Committees are required to file reports electronically if their total contributions or total expenditures exceed, or are expected to exceed, \$50,000 in a

calendar year (committees filing with the Secretary of the Senate are exempted from the electronic filing requirement and must file on paper). Committees that are required or would like to file electronically can do so using the free FECFile software developed by the FEC. You can download it from the FEC website, or contact the Electronic Filing Office at 202-694-1642, option 2, to have a copy mailed to you. FECFile requires a PC with Microsoft Windows 7, Vista, or XP operating system, and approximately 50 MB free disk space. There are also many vendors who can provide software to committees for a cost. Visit the FEC electronic filing website for a list of approved vendors: <http://www.fec.gov/electfil/software.shtml>.

How do I request a password to file electronically?

For registered committees, only the official treasurer can obtain an electronic filing password. It is important that the committee has provided a valid email address on its Statement of Organization (Form 1), as a validation email will be sent to the committee.

Existing committees that have not previously used the on-line system should contact the Electronic Filing

Office for assistance at 202-694-1642, option 3.

What happens if I file my report late?

Under the FEC's Administrative Fine Program, failure to file reports or file reports on time could result in civil money penalties. Information on the Administrative Fine Program, including an Administrative Fine Calculator and explanation of how fines are calculated, can be found on the Administrative Fine Program page of the FEC website, www.fec.gov/rad/FEC-ReportsAnalysisDivision-Penalties.shtml.

What should I do if I receive notification that I failed to file a required report?

You received the Non-Filer Notice because your committee may have failed to file a required report by the deadline. You should file the missing report as soon as possible. If you think you received the notice in error or need assistance filing the report, please call the analyst whose name and telephone number appear in the last paragraph of the letter.

Do I still need to file a report if my committee has no activity?

Yes. Unless your committee files a termination report and receives notice from the FEC that the termination request has been accepted, you are required to continue filing all reports, regardless of the amount of activity.

I want to terminate my committee. How do I end my filing requirement?

The committee may file a termination report at any time, provided that the committee no longer intends to receive contributions or make disbursements that would otherwise qualify it as a political committee, and has no outstanding debts or obligations. The termination report must also disclose the purposes for which any remaining funds or assets will be used. In addition, a principal campaign committee may not terminate until the debts of all other authorized committees of the candidate have been extinguished.

Please note that a committee involved in an FEC enforcement action, an FEC audit, or litigation with the FEC must continue to file regularly scheduled reports until the matter is resolved.

After RAD reviews the termination report, a letter will be sent to inform

the treasurer of the committee's status. The committee must continue to file reports until it receives a termination approval letter.

What should I do if my committee's funds have been embezzled?

If you discover a misappropriation or embezzlement of committee funds, your assigned RAD analyst can help you work through the resulting disclosure challenges. You may also want to consult with counsel to see whether filing a *sua sponte* submission or complaint may be appropriate and also notify law enforcement. If you would like to discuss a *sua sponte* submission with the FEC, you may contact the Office of General Counsel at 202-694-1650.

Guidance for political committees regarding embezzlement/misappropriation can be found at <http://www.fec.gov/pages/brochures/internalcontrols.pdf>

RAD's Top 10 Tips for Committees

1. Know your resources! Visit the RAD website: www.fec.gov/rad.
2. Know your upcoming reporting dates and be aware that the

Commission does not grant extensions.

3. Regularly reconcile your bank account(s) and your reports.
4. Start working on your report early and enter transactions throughout the reporting period.
5. Create a compliance manual for your committee and be sure that more than one person knows how to file reports and keep accounting records.
6. Attend an FEC Conference, Seminar, Roundtable or Webinar.
7. Contact RAD if you have specific reporting questions. For general inquiries, contact the FEC's Information Division at 202-694-1100.
8. Sign up online for "Tips for Treasurers" email notifications at <http://www.fec.gov/info/TipsforTreasurers.shtml>.
9. Familiarize yourself with the Commission's Best Practices for Committee Management at <http://www.fec.gov/pages/brochures/bestpractices.shtml>.
10. Be proactive – file reports early, amend as needed, and never hesitate to contact your assigned RAD analyst for help.

Committees are encouraged to visit RAD's website, www.fec.gov/rad, for more helpful reporting tips and your assigned analyst's contact information.

Communicating with the FEC

Please remember to keep your committee's contact information up to date with the Commission. You can do this by amending the Form 1 whenever there is a change in street address, email address, affiliated committees, authorized agents or bank information.

Contact Information

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(800) 424-9530 (press 5) (toll free)
(202) 219-3336 (TTY)



Important Websites:

Reports Analysis Division:
www.fec.gov/rad

Electronic Filing:
www.fec.gov/electfil/electron.shtml

Report Image Search:
www.fec.gov/finance/disclosure/adv-search.shtml

The FEC Record:
www.fec.gov/pages/record.shtml

Campaign Finance Disclosure Portal:
www.fec.gov/pindex.shtml