



# Reports Analysis Division (RAD) Review Process

## Reports Analysis Division's 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.

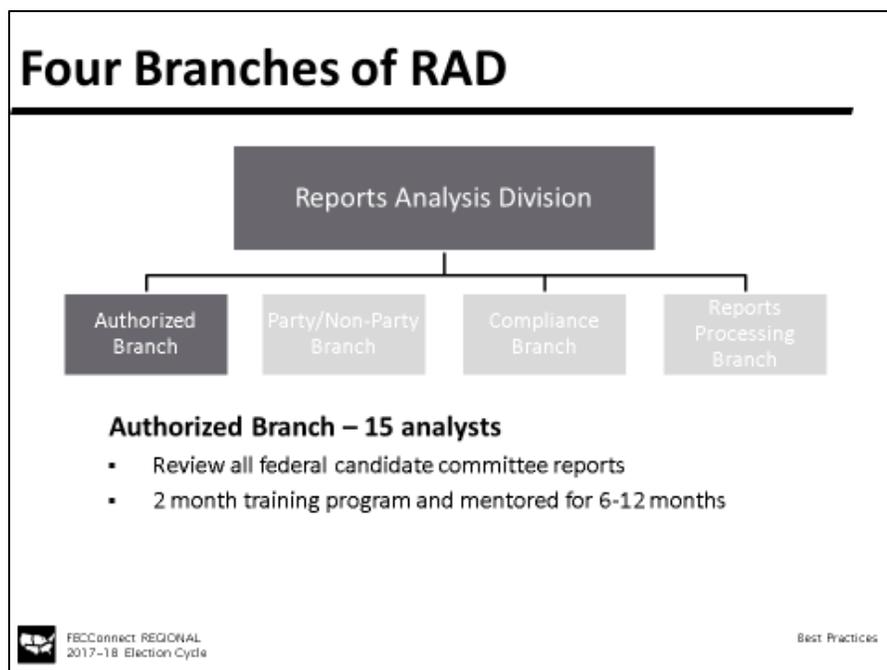
### I. Working with your Campaign Finance Analyst

We encourage you to contact your Campaign Finance Analyst for assistance. RAD analysts are here to help!

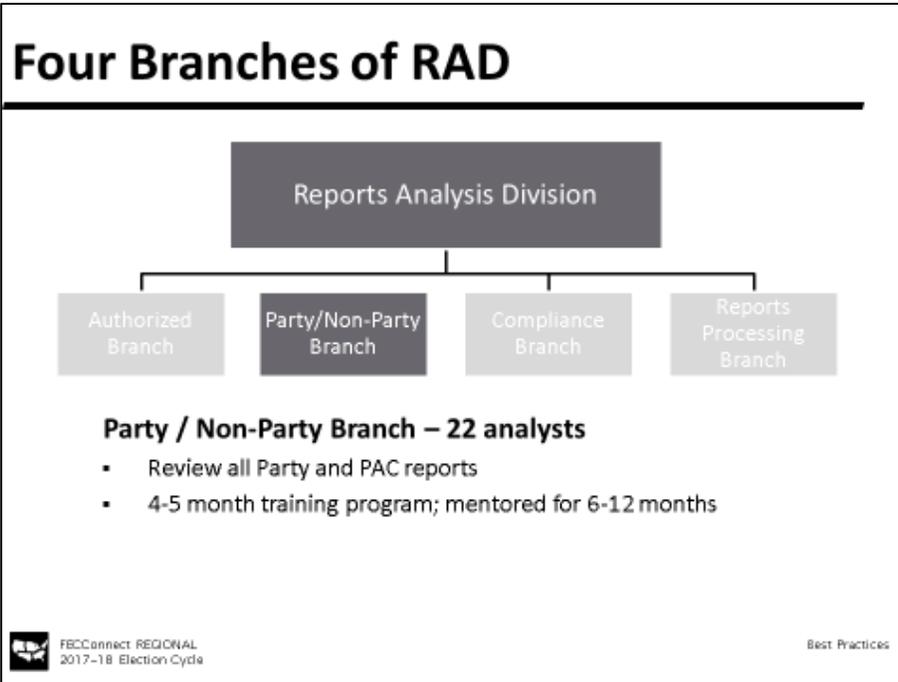
- Call RAD at (202) 694-1130 or (800) 424-9530 (press 5)
- [Look up your analyst's number or send a question to your analyst online](#)

### A. Organization of RAD – Four Branches

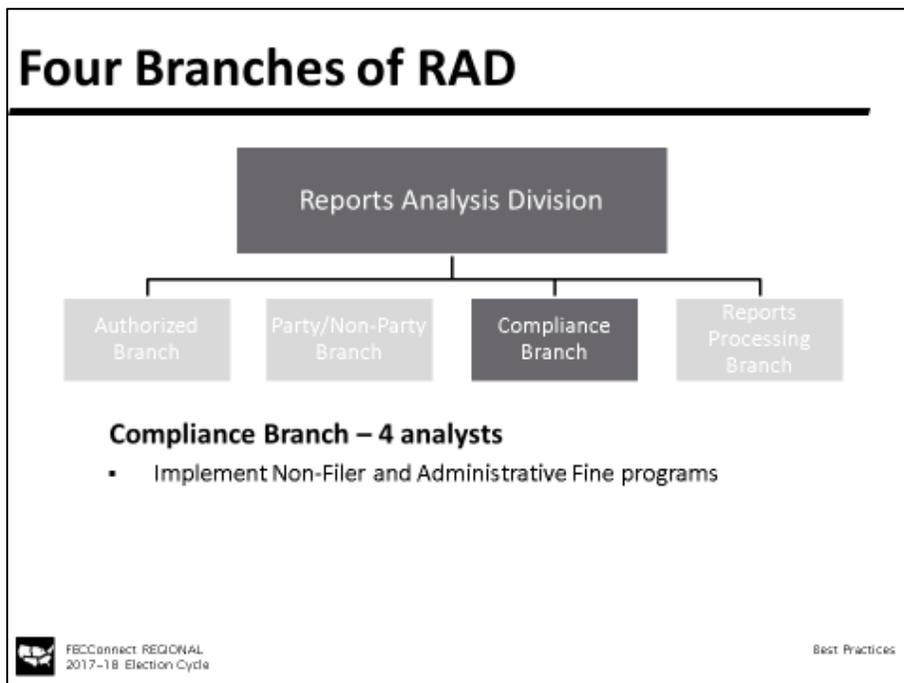
RAD is divided into four branches – Authorized, Party/Non-Party, Compliance and Reports Processing.



1. **Authorized Branch:** reviews federal candidate committee reports – 15 analysts. New analysts undergo a 2 month training process and are then mentored by a more senior analyst for 6 to 12 months.



2. **Party/Non-Party Branch:** reviews all party committee and PAC reports – 22 analysts. New analysts undergo a 4-5 month training process and are then mentored by a more senior analyst for 6 to 12 months.



3. **Compliance Branch:** serves a quality control function for the review branches and implements the Non-filer and Administrative Fine Programs – 4 analysts.

## Four Branches of RAD

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graph TD; RAD[Reports Analysis Division] --> AB[Authorized Branch]; RAD --> PNPB[Party/Non-Party Branch]; RAD --> CB[Compliance Branch]; RAD --> RPB[Reports Processing Branch];
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- ▣ **Reports Processing Branch – 16 team members**
  - Prepare incoming FEC paper reports for scanning
  - Handle the coding process to ensure that itemized transactions are properly entered and categorized in the FEC database

Best Practices

4. **Reports Processing Branch:** prepare incoming FEC paper reports for scanning and ensure itemized transactions are properly categorized in the FEC database – 16 team members.

## Analyst Assignments

- ▣ Each analyst is assigned 300-500 committees depending on branch
- ▣ Authorized: House and Senate campaigns assigned by state; Presidential and Delegate committees assigned to senior analyst
- ▣ Party/Non-Party: PACs assigned randomly; State party committees assigned by state; Local parties assigned randomly; National party committees assigned to senior analysts

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- B. **Committee Assignments – Party/Non-Party Branch**
  1. Party/Non-Party Branch analysts are assigned anywhere from 300 to 500 committees (parties and PACs).

2. PACs are assigned randomly with the larger ones being assigned to more senior analysts.
3. National party committees are assigned to the more senior analysts. State party committees are assigned by state, so that the assigned analyst reviews both the Democratic and Republican state parties. Local party committees are assigned randomly.

**C. Committee Assignments—Authorized Branch**

1. Authorized Branch analysts are assigned anywhere from 200 to 350 committees and filing entities (House, Senate, Presidential, Delegate, Joint Fundraising, Independent Expenditures and Electioneering Communications).
2. House and Senate campaign committees are assigned by state.
3. Presidential and Delegate committees are assigned to more senior analysts.
4. All others are assigned randomly.

## Analyst Responsibilities

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- ▣ Review assigned committees' reports by established deadlines
- ▣ Assist committees by phone and log calls
- ▣ Respond to inquiries via email
- ▣ Meet with committees by request
- ▣ Participate in FEC conferences, roundtables, webinars
- ▣ Special projects

**D. Analyst Responsibilities**

1. Review all reports filed by assigned committees by established deadlines.
2. Customer service role – assist committees on the phone on a daily basis and log phone calls. Meet with committees by request.
3. Participate in FEC Conferences and Roundtables.
4. Special Projects.

## Review and Referral Policy

- ▣ 30 Categories of review include:
  - Mathematical discrepancies
  - Failure to provide supporting schedules
  - Failure to properly itemize contributions from individuals
  - Prohibited, excessive and impermissible contributions
  - Improper itemization of disbursements
- ▣ RFAI thresholds
- ▣ Thresholds are confidential and policy is approved by the Commission (public document)



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### E. RAD Review of Reports

#### 1. RAD Review and Referral Policy

- a) Internal policy contains categories of review the analyst checks, such as: Prohibited, Excessive and Impermissible Contributions, Mathematical Discrepancies, Failure to Provide Supporting Schedules and Failure to Properly Itemize Contributions from Individuals and Disbursements, to name a few.
- b) Policy has established thresholds for making determinations on whether to send a Request for Additional Information (RFAI).
- c) Thresholds are confidential and policy is approved by the Commission. A redacted version of the RAD Review and Referral Policy can be found on the FEC web page.  
[https://transition.fec.gov/law/procedural\\_materials.shtml](https://transition.fec.gov/law/procedural_materials.shtml)

## Review of Reports

- ▣ Thresholds applied on per report basis
  - If reoccurring reporting issues exist on multiple reports, committee may receive multiple RFAIs on same issue
  - RAD does not consider previous responses to RFAIs
    - ▣ Exception: Responses relating to 1) best efforts procedures and 2) application of foreign address safe harbor guidelines to all contributions apply for two year election cycle
- ▣ It's possible to see an issue questioned on one report, but not on another



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- d) Review is conducted on a per report basis, meaning the thresholds are applied to each report reviewed.
  - (1) This means a committee may receive a RFAI which includes the same issue already addressed in response to a RFAI referencing a different report.
    - Exceptions include outlining Best Efforts procedures which would apply to the two-year cycle, and responses relating to foreign address inquiries that indicate safe harbor guidelines are followed for **all** contributions apply for the two year election cycle.
  - (2) There may be several issues that are aggregated together to meet a single threshold, so it's possible to see an issue questioned on one report that isn't included in an RFAI on for another report.
- e) Policy is reassessed every election cycle and revisions/changes made based on input from RAD and other offices (such as OGC), and Commissioners.

## II. How to Best Respond to Requests for Additional Information (RFAIs)

### Request for Additional Info (RFAI)

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- ▣ If internal thresholds are met, analyst sends RFAI
- ▣ Response due date in upper right corner
- ▣ 35 days to respond - no extensions
- ▣ Responses assessed by analysts, team leaders
- ▣ Analysts do not reply to committee responses

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### A. Request for Additional Information (RFAI)

1. **If internal thresholds are met, an RFAI is sent**, with a Response Due Date in the upper right hand corner of the letter, extensions are not granted. The committee analyst's name and contact telephone number are also provided in the letter.

*Tip:* You can find out who your analyst is by visiting <https://www.fec.gov/help-candidates-and-committees/question-rad/> and click on "Find your committee's analyst" drop down menu.

## RFAIs via Email

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- ▣ RAD emails RFAIs to address listed on Form 1 (Statement of Organization).
  - Opt-Out Option: File a Form 99 to request that RFAIs be mailed via USPS.
- ▣ Committees can now list up to two email addresses on Form 1.
- ▣ Ensure current contact information (mailing address, email address, and phone number) appear on FEC Form 1.



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2. Committees should ensure that they have provided the most current mailing address, email address and phone numbers on their Statement of Organization (FEC Form 1). Often RFAIs are bounced back or returned by the Post Office due to an incorrect email or mailing address.
3. Most RFAIs are now sent via email to the Committee's official email address, as disclosed on the Statement of Organization (FEC Form 1). Up to two email addresses can now be provided (both will be used for emailing RFAIs). Committees will have the option to continue to receive RFAIs on paper through the mail.

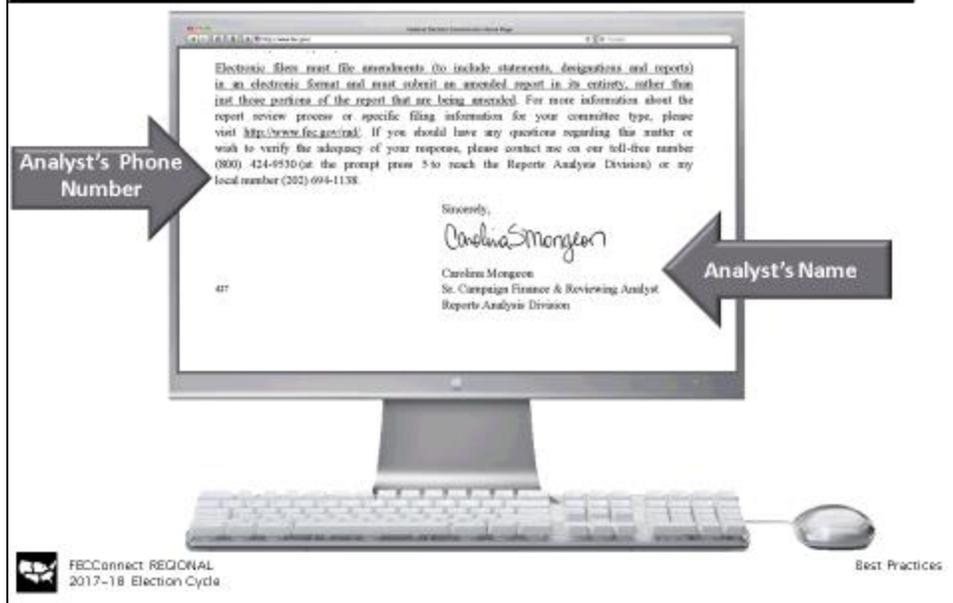
## RFAI via Email



## RFAI via Email



## RFAI via Email



## Responding to RFAs

- ▣ Analysts do not contact committees in every case when a response is not sufficient
- ▣ Committee should contact its analyst before and/or after filing a response
- ▣ Analysts do not make legal conclusions
- ▣ Analysts cannot categorize your activity
- ▣ In some cases, RAD consults OGC before sending an RFAI and when assessing a committee's response

4. **Responses are assessed by the analysts and in some cases, team leaders.**
  - a) Analysts do not reply to responses.
  - b) Contact is not made with committees in every case when a response is not sufficient. Further explanation below.

- c) Committees are encouraged to contact their assigned analyst prior to responding if unsure about how to respond or after a response is filed to ensure an adequate response is received.
- d) Keep in mind that analysts can't make legal conclusions or give guidance on a legal conclusion being made by a committee. In addition, they cannot determine what category your activity falls under (i.e., independent expenditures or coordinated party expenditures).
- e) In some cases, RAD consults with OGC before sending a RFAI and when making a response assessment.

## Responding to RFAs

- ▣ File amendment to:
  - Add, Change or Delete actual entries on FEC report
- ▣ Use miscellaneous text submission (Form 99) for:
  - Narrative responses that do not affect actual entries within a report  
(e.g., demonstrating best efforts or that safe harbor guidelines are followed for all contributions with a foreign address)



5. **Must amend report when changing information that affects entries on a report.** This would include additions, changes or deletions.
6. **Miscellaneous Text Submission (Form 99)**  
Used for narrative responses that do not affect actual entries within a report. (For example, when outlining procedures for “Best Efforts” in obtaining contributor information.)

## Audit Consideration Factors

- ▣ Level of financial activity
- ▣ Responses to RFAs
  - ✓ Late or no response
  - ✓ Inadequate response
- ▣ Election results (Authorized committees only)
- ▣ Number of amendments filed is NOT a factor
- ▣ Number of RFAs received is NOT a factor if responses were adequate and timely



### B. Referrals to the Audit Division

1. **Factors for making referrals to the Audit Division**
  - a) Level of financial activity;
  - b) Responses to RFAs:
    - (1) Late or no response,
    - (2) Inadequate response.
  - c) Election Results (Authorized committees only).
2. **The number of amendments filed is not a factor.**
3. **The number of RFAs is not a factor** if responded to adequately and on time.

## OGC & ADRO Referrals

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- ▣ Policy includes referral thresholds
- ▣ RAD calls committee before referring matter to explain RFAI and request response
- ▣ Committee's adequate and timely response may prevent referral



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- C. Referrals to OGC (Office of General Counsel) and ADRO (Alternative Dispute Resolution Office)**
1. Internal policy includes thresholds for determining whether a matter should be referred to OGC or ADRO.
  2. Committee will receive a phone call from RAD prior to a referral to ADRO or OGC to explain RFAI and request a response.
  3. An adequate response is required by the timeframe given to prevent the matter from being referred.