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REPORTS ANALYSIS DIVISION REVIEW AND REFERRAL PROCEDURES

for the

2015-2016 ELECTION CYCLE

UNAUTHORIZED COMMITTEES, TITLE 52 AUTHORIZED COMMITTEES AND TITLE 26 AUTHORIZED COMMITTEES

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INTRODUCTION

The Review and Referral Procedures of the Reports Analysis Division establish the policies governing the selection and priority review of reports, the referral of committees to the Audit Division pursuant to 52 U.S.C. §30111(b) (formerly 2 U.S.C. §438(b)), the referral of committees to the Office of General Counsel (OGC) for non-compliance with the Federal Election Campaign Act and Commission regulations in accordance with the authority granted to the Commission under 52 U.S.C. §30109 (formerly 2 U.S.C. §437g), the referral of committees to the Alternative Dispute Resolution Office (ADRO), the referral of committees to the Administrative Fine Program and further details those standards that establish review and referral thresholds for non-compliance with the Act and regulations.

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PART I

SCOPE OF REVIEW AND REVIEW PRIORITIES

A. Scope of Review

It is the goal of the Reports Analysis Division ("RAD") to process the reports and statements of all committees filing with the FEC and the Secretary of the Senate. Normally, each review is an in-depth and comprehensive analysis of each report filed by a committee. Review is performed on committees from the time they register until they terminate their reporting obligations with the Commission or are administratively terminated by the Commission (except for committees with receipts or disbursements plus debts incurred during the current election cycle of [redacted]). Review is conducted on reports and statements to determine whether:

1. Registration forms contain all required information and are signed by the treasurer, assistant treasurer or candidate, when applicable;

2. A report was timely filed, properly submitted and signed by the treasurer or assistant treasurer[1];

3. All the mathematical calculations provided by the committee are correct and include the calculations on the Summary and Detailed Summary Pages and the attached schedules;

4. The cash-on-hand at the beginning and the close of the reporting period is accurately reflected on the report;

5. All appropriate schedules have been filed with the report;

6. The supporting schedules provide:
   a. proper disclosure of all receipts and contributions,
   b. proper disclosure of all loans and loan repayments,
   c. proper disclosure of all contributions and transfers to and from political committees,
   d. proper disclosure of disbursements, and

[1] Quarterly reports filed voluntarily by Unauthorized Committees in a non-election year will be reviewed as one report covering the appropriate reporting period (i.e., first and second quarter reports are combined to equal a Mid-Year Report).

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e. proper disclosure of all debts owed to or by the committee.

7. The contribution limits and prohibitions may have been violated; and

In addition, the scope of review for the Unauthorized Branch will include a determination as to whether or not:

a. A State, district or local party committee has properly disclosed Federal Election Activity;

b. A committee has properly disclosed allocable federal and non-federal activity;

c. Partisan internal communications are properly disclosed and permissible;

d. Host and Inaugural committee reports reveal mathematical discrepancies; and

e. Independent Expenditure-only committees ("Super PACs") have properly disclosed all activity.

f. Political committees with non-contribution accounts ("Hybrid PACs") have properly disclosed all activity.

Termination Review

Committees that file a termination report will be subject to a termination review as noted under Standard 29.

Modified Review

Committees not undergoing a comprehensive review will be subject to a modified review as noted below, with the exception of terminating committees, which will be subject to a termination review under Standard 29. A modified review will consist of the following:

For Unauthorized Committees

Standard 2 – Statement of Organization (Form 1)

Standard 5 – Excessive, Prohibited and Other Impermissible Contributions/Transfers

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Standard 6 – Mathematical Discrepancies (cash-on-hand discrepancies only)

Standard 7 – Failure to Provide Supporting Schedules

Standard 12 – Federal Election Activity/Levin Funds

Standard 13 – Allocated Federal and Non-federal Activity

Standard 14 – Independent Expenditure Reporting Problems - Political Committees

Standard 15 – Coordinated Expenditure Reporting Problems

Standard 23 - Bundling Reporting Problems (Form 3L)

For Authorized Committees

Standard 5 – Excessive, Prohibited, and other Impermissible Contributions/Transfers

Standard 6 – Mathematical Discrepancies (only for cash-on-hand discrepancies and for failure to file a Post-Election Detailed Summary Page)

Standard 7 – Failure to Provide Supporting Schedules

Standard 16 – Failure to Properly Itemize Loans (for new, renegotiated and all overdue loans)

Standard 19 – Debt Settlement Plans (only if debts are being settled/extinguished without a debt settlement plan).

Standard 23 – Bundling Reporting Problems (Form 3L)

Standard 26 – Personal Use of Campaign Funds

B. Review Priorities

1. Unauthorized Committees

There are three review priority categories for Unauthorized Committees (i.e., political party committees, separate segregated funds, and non-connected committees) and Communication Cost filers for a current election cycle. Review Category One will be given primary staff resources before staff resources are dedicated to Review Category Two or Three. Future adjustments to the priorities below may be necessary.

Upon completion of the Category One and Two review, review on reports filed in the subsequent cycle will commence.

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Category One

1) Review will be conducted of reports filed by political party committees (including convention committees) with receipts or disbursements plus debts incurred during the current election cycle of [redacted] or more and of reports filed by non-party committees with receipts or disbursements plus debts incurred during the current election cycle of [redacted] or more.

2) Review will be conducted on all termination reports within three weeks of entry into the FEC database.

3) Review will be conducted of all reports submitted by Communication Cost filers (FEC Form 7).

4) Review will be conducted of all reports submitted by Draft and Delegate Committees.

Category Two

Review will be conducted of all reports filed by political party committees (including convention committees) with receipts or disbursements plus debts incurred during the current election cycle of [redacted] through [redacted] and of all reports filed by non-party committees with receipts or disbursements plus debts incurred during the current election cycle of [redacted] through [redacted]

Category Three

The modified review will be conducted as time permits on all reports filed by Unauthorized Committees with receipts or disbursements plus debts (incurred during the current election cycle) of more than [redacted] through [redacted] for party committees (including convention committees) and more than [redacted] through [redacted] for non-party committees. The modified review will also be conducted on amended reports filed during the current election cycle for activity occurring in a previous cycle.

Category Four

All Unauthorized Committees with receipts of [redacted] or less during the election cycle that also have receipts or disbursements plus debts (incurred during the current election cycle) of [redacted] or less during the election cycle normally [redacted].

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2. Authorized Committees and Other Filing Entities

There are two review priority categories for committees reviewed by the Authorized Branch. Review Category One will include reports filed by authorized committees having a more significant impact on the electoral process and will receive a full comprehensive review. Review Category Two includes reports filed of less significance and will be given a modified review. There are two reasons for establishing priorities in this manner. First, 52 U.S.C. §30111(b) (formerly 2 U.S.C. §438(b)) sets a six month deadline from the date of an election for commencing audits of such committees. Second, many authorized committees disband soon after the election. Review Category One will be given primary staff resources before staff resources are dedicated to Review Category Two. Future adjustments to the priorities below may be necessary.

Review Category One: House and Senate committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] will receive a comprehensive review (applicable Standards 1-30) for the election cycle in which the candidate is competing. Presidential Title 26 committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] will receive a comprehensive review for the election cycle in which the candidate is competing (applicable Standards 1-30). Presidential Title 52 committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] will receive a comprehensive review for the election cycle in which the candidate is competing (applicable Standards 1-30).

a. Terminating committees are reviewed using the guidelines set forth in Standard 29 and will be reviewed within 3 weeks of entry into the FEC database. (T)

b. Committees that have [redacted] by less than [redacted] will receive full review through the [redacted] Report. (L)

c. Senate and House committees competing in the primary election will receive full review through the [redacted] Report. (P)

d. Senate and House committees competing in the general election will receive full review through the [redacted] Report. (G)

e. All joint fundraising committees that have receipts plus debts or disbursements plus debts

(incurred during the current election cycle) in excess of [redacted] will receive a full review. (P)

f. All electioneering communication filings (Form 9) regardless of total activity. (P)

g. Independent expenditure filings by persons other than political committees (Form 5) regardless of total activity. (P)

h. Title 52 presidential committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] (excluding funds contributed by the candidate) receive a full review for the [redacted], and will receive a modified review for [redacted] until they terminate with the Commission. (A)

i. Title 26 Presidential committees: Presidential committees may elect to receive public funding for their campaigns under Chapters 95 and 96, Title 26 of the U.S. Code. Those candidates electing to do so must satisfy certain requirements before the Commission determines the committee's eligibility to participate in the program. Authorized committees of those candidates who have been determined eligible by the Commission to receive public funding under Chapters 95 and 96 of Title 26 will be reviewed according to the Commission's current Procedures for Title 52 Authorized Committees. Title 26 Presidential committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] will receive a full review for the [redacted], and will receive a modified review for [redacted] until the committee terminates its filing requirement with the Commission. (A)

Review Category Two: House and Senate committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] can be given a modified review if time does not permit for a comprehensive review. Presidential Title 26 committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) of [redacted] or less can be given a modified review if time does not permit for a comprehensive review. Presidential Title 52 committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) in excess of [redacted] but

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less than or equal to [redacted] can be given a modified review if time does not permit for a comprehensive review.

a. House and Senate committees that have participated in the current election cycle and have crossed the [redacted] review threshold, but are not a part of Category One. (For example, primary and general election [redacted]). In this group of committees, priority will be given to "high dollar" campaigns (in excess of [redacted] in receipts or disbursements for House committees, in excess of [redacted] in receipts or disbursements for Senate committees). (N)

b. Title 52 Presidential committees that have crossed the [redacted] activity threshold but received contributions less than or equal to [redacted] during the election cycle, excluding any funds contributed by the candidate. (B/C)

c. Title 26 Presidential committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) of [redacted] or less. (B)

d. Debt Settlement Plans: initial review will be conducted within 2 weeks of receipt, as time permits.

e. Committees of candidates who are not competing in the current cycle, but have participated in prior election cycles, whose receipts plus debts or disbursements plus debts incurred for the current election cycle exceed [redacted] (N)

[redacted] will be conducted on reports filed by House and Senate committees that have receipts plus debts or disbursements plus debts (incurred during the current election cycle) of [redacted] or less.

a. New committees that have receipts plus debts or disbursements plus debts incurred for the current election cycle of [redacted] or less. (4)

b. Committees from prior cycles that have receipts plus debts or disbursements plus debts incurred for the current election cycle of [redacted] or less. (N)

[redacted] will be conducted on reports filed by Presidential Title 52 committees that have receipts plus debts or disbursements plus debts (incurred during the election cycle) of [redacted] or less.

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Priority Codes will be assigned to each committee and will change as the committee progresses through the election cycle. The Authorized Branch will use the committee's level of activity (receipts plus debts or disbursements plus debts incurred for the current cycle) as well as election results to assign priority codes and determine a committee's audit eligibility.

House and Senate Committees

Before the Primary:

4 New committees with ≤ [redacted] receive [redacted].

P Committees competing in the [redacted] that have crossed the [redacted] threshold receive a full review up to the [redacted].

After the Primary:

G Committees competing in the [redacted] that have crossed the [redacted] review threshold receive a full review through the [redacted]. Committees that win the primary and move on to the general election get re-assigned to "G."

L Committees that [redacted] receive a full review through the [redacted]. If any of these committees have received [redacted] or more audit points after the review of the [redacted]; they will be referred for possible audit. After writing the primary audit referrals, the priority code for this committee will change to "N" and they will receive a modified review for the rest of the cycle.

N Committees that [redacted] receive a full review through the [redacted] and then will change to a modified review for the rest of the cycle. Committees that cross the [redacted] threshold on the Pre-Primary Report and [redacted] will be given a modified review.

After the General:

G Committees that [redacted] will be checked for audit eligibility. Candidates who have accrued [redacted] or more points for this cycle will be referred for possible

audit. After audit referrals are written, the priority code for these committees will change to "P" and they will continue to receive a full review.

L Committees that [redacted] will be checked for audit eligibility. Committees that receive [redacted] or more audit points will be referred for possible audit. After the general election audits are written, these committees will be re-assigned to "N" and will receive modified review if the committee has over [redacted] in activity for the new cycle. They will be reassigned to "4" and will receive [redacted] if the committee has [redacted] or less in activity in the new cycle.

N Committees that [redacted] will be re-assigned to "N" and will receive modified review if the committee has over [redacted] in activity for the new cycle. They will be reassigned to "4" and will receive [redacted] if the committee has [redacted] or less in activity in the new cycle.

Title 52 and Title 26 Presidential Priority Coding:

A Title 52 Presidential committees with activity > [redacted] and Title 26 Presidential Committees with activity > [redacted]

B Title 52 Presidential committees with activity > [redacted] and ≤ [redacted] and Title 26 Presidential Committees with activity ≤ [redacted]

C Title 52 Presidential committees with activity > [redacted] and ≤ [redacted]

Other Common Authorized Priority Codes

T Terminating Committees receive Standard 29 review.

P All Form 9's (Electioneering Communications) will receive a full review.

P All Form 5's (Independent Expenditures made by persons other than political committees) will receive a full review.

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PART II

GUIDELINES AND TIMETABLES FOR AUDITS

A. General Implementation

Audits will be based upon a determination by the Commission that the committees to be audited are not in substantial compliance with the Act. 20 Standards for Unauthorized Committees and 15 Standards for Authorized Committees serve as a basis for assessing audit points. Generally, no assessment is made if a committee adequately and timely responds to a Request for Additional Information (RFAI).

If a committee does not respond or responds inadequately to an RFAI, an audit point will be assessed after the response period has expired. Responses received more than 35 days after the date of the Notice will not cause the removal of an audit point regardless of the content of the response. Any response that indicates that a [redacted] error was made or that [redacted] occurred will not result in [redacted]. An amendment that creates additional problems may be assessed points separate from those assessed on the original report.

Authorized Committees will be [redacted] beginning with activity which occurs from January 1 of the year preceding the general election year and ending with the [redacted] Report. Authorized Committees of candidates who [redacted] in the primary election [redacted] on reports filed after the [redacted] Report.

Unauthorized Committees will be [redacted] beginning with activity which occurs from January 1 of the year preceding the general election year and ending with the [redacted] Report filed for the general election year. Committees will be [redacted] on reports which are filed for the current two year election cycle.

Committees whose reports include debt retirement and other activity relating to a previous election cycle [redacted] for any errors or violations associated with such activity. [redacted] for reports filed late if the activity on the report relates only to a previous election cycle.

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B. Guidelines for Audit Referrals

1. Audit Selection Universe

a. Unauthorized Committees

1) Party Committees

Only party committees (including convention committees) with receipts or disbursements plus debts incurred during the election cycle of [redacted] or more and that have accrued [redacted] or more points during the election cycle may be referred for an audit.

2) Non-Party Committees (PACs)

Only non-party committees with receipts or disbursements plus debts incurred during the election cycle of [redacted] or more and that have accrued [redacted] or more points during the election cycle may be referred for audit.

b. Authorized Committees

1) House and Senate Committees

Authorized committees of House and Senate candidates will be referred if the committees meet the following criteria:

a) a committee represents a candidate participating in an election in the current election cycle;

b) a committee has received or disbursed in excess of [redacted] for the election cycle. This threshold amount may be reached even if all reports have not been received;

c) a committee represents a candidate who:

1. [redacted] and accrues [redacted] or more audit points; or

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2. [redacted] and accrues [redacted] or more audit points.

2) **Title 52 Presidential Committees**

Presidential committees not subject to Title 26 will be referred for audit based on the committee receiving at least [redacted] audit points and having raised in excess of [redacted]. This guideline would apply to any presidential candidate who has a Title 52 committee for the primary election and a Title 26 committee for the general election or vice versa. See the Procedures for Audit Referrals for Title 52 Presidential Committees for further information.

3) **Title 26 Presidential Committees**

RAD does not assign audit points or refer to audit any committees supporting candidates for the Office of President that receive matching funds or a general election grant since the Commission is required to audit them by statute.

2. Procedures for Audit Referrals

All political party committees (including convention committees) being referred to the Audit Division must have accrued [redacted] or more points. Non-Party committees must have accrued [redacted] or more points. The criteria for audit selection is designed to maximize the effectiveness of the audit program within the filing community by ensuring all types of committees are subject to the audit process.

a. Unauthorized Committees

RAD will refer unauthorized committees to the Audit Division in one group. The audit referrals will cover activity from January 1 of the non-election year through December 31 of the election year. RAD will generate a list of all [redacted] committees that have accrued [redacted] or more audit points during the current election cycle and a list of all [redacted] committees that have accrued [redacted] or more audit points during the current election cycle.

The [redacted] committee list shall be organized in descending point order. The [redacted] committee list shall be organized by the following committee type

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categories: Nonconnected,[2] Labor, Trade Association, Membership Organization, Corporate, Cooperative, and Corporate without Capital Stock. Furthermore, these committees will be listed in descending point order within each committee type category.

RAD will obtain from the Audit Division an estimate of how many 52 U.S.C. §30111(b) (formerly 2 U.S.C. §438(b)) audits they can conduct. RAD will prepare audit referrals for the estimated number of committees. Audit referrals will be prepared for an equal number of [redacted] committees, if possible.

Of the estimated number, half of committees referred for an audit will be [redacted] committees and selection will be based on the highest number of points. The remaining half will be [redacted] committees and selection will be based on the highest number of points in each committee type category (as noted above). For [redacted] committees, if half of the estimated number has not been reached once the committees with the highest number of points per committee type category have been selected, the remaining number of [redacted] committees will be selected based on the highest number of points (irrespective of committee type category). In the event that there are less than an equal number of [redacted] or [redacted] committees, the difference will be made up for with the other type of committee ([redacted]) and selected based on the highest number of points.

b. Authorized Committees

1) **House and Senate Committees**

Authorized committees of candidates who [redacted] in the primary or runoff election (or caucus or nominating conventions – if these elections have the authority to select nominees for the general election) that are reviewed under Review Category 1 ([redacted]), will be referred for audit after accumulating [redacted] or more audit points no later than four months and two

[2] [redacted]

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weeks after the corresponding election.

All Authorized committees of candidates in the general election who [redacted], and any authorized committees of candidates in the general election who [redacted], and which accumulate [redacted] or more audit points will be referred for audit (see page 16).

Committees participating in a primary and general election during the election cycle must have [redacted] points to be eligible for audit. For each additional race a committee participates in, the audit eligibility point threshold will be raised by [redacted]. For example, if a candidate's committee participates in a primary, general and general runoff, the committee would need to accumulate at least [redacted] points to be eligible for an audit.

By March, following the General election, RAD will generate a list of all audit eligible committees, grouped in descending order by point total. RAD will obtain from the Audit Division an estimate of how many audits they can conduct. RAD will then prepare audit referrals for the estimated number of audits.

2) **Title 52 Presidential Committees**

Title 52 Presidential committees being reviewed under Review Category 1 that have accrued [redacted] or more audit points and have raised in excess of [redacted] will be referred for an audit. For internal purposes only, [redacted] on the date that one of the following circumstances occur:

- the date an independent candidate withdraws from the race when it is prior to the general election;
- the date a candidate withdraws from the race when it is prior to a convention;
- the date a candidate loses at a convention;
- the date a candidate withdraws from the race after winning the

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nomination at a convention but withdraws prior to the general election; or

- the date of the general election.

Presidential primary candidates who withdraw from the race whose committees are eligible for referral to the Commission for audit, will be referred. If the candidate re-enters the race, the audit referral will be placed in abeyance. When the candidate again withdraws or goes into the convention, the committee will again be eligible to be referred to the Commission for possible audit. The [redacted] by the committee during the entire election cycle will be [redacted].

3. Timetable for Referral to Audit

a. Unauthorized Committees

Referrals of priority review Unauthorized Committees from the Reports Analysis Division to the Audit Division will be referred to the Audit Division by [redacted] of the year following the general election. The Audit Division will circulate these referrals for Commission approval in groups, based on resources available. All referrals sent by RAD to the Audit Division will be circulated for Commission approval no later than [redacted] of the year following the election.

b. Authorized Committees

1) House and Senate Committees

Referrals of House and Senate Committees from RAD to the Audit Division will occur according to the following timetable:

a) After [redacted] the primary or primary runoff election, the candidate's committee will be referred no later than four months and two weeks after the date of the primary election.[3]

b) After winning or losing the general election, the candidate's committee

[3] An audit determination for [redacted] candidates will be based on the results of the election (primary or primary runoff) that determines whether the candidate would move on to the general election and on the number of audit points accrued through the applicable [redacted] report.

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will be referred no later than four months and two weeks after the date of the general election.

c) Candidate committees participating in special elections will be referred to the Audit Division based upon the above timetables for either the special primary election or the special general election.

2) Title 52 Presidential Committees

A Title 52 Presidential committee that is eligible for an audit will be referred to the Audit Division no later than four months and two weeks from the date of the convention, general election or the date the candidate dropped out of the race.

4. OGC/ADRO Referrals

a) If a committee meets any of the thresholds for referral to either the Office of General Counsel (OGC) or Alternative Dispute Resolution Office (ADRO) and the committee also receives the requisite number of audit points, the audit referral process will proceed first.

b) If a committee meets the criteria for an audit referral and an [redacted] referable issues. In the event that a committee does not have any outstanding ADRO or OGC referable issues, a referral will be made to ADRO. If the prior cycle audit of the committee has not yet commenced, the committee will be audited for the current audit period instead.

c) Audit eligible committees that are not referred to the Audit Division (due to a lack of resources) may be referred to ADRO (absent any OGC referable issues). Upon the establishment of the audit referral committee pool, RAD will obtain from the ADRO an estimate of how many cases they can take. RAD will prepare modified ADRO referrals for the estimated number of committees based on the highest number of points. In addition, should additional resources become available to the ADRO; RAD will prepare additional referrals at the request of the ADRO.

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d) If a committee is approved for audit, after the audit fieldwork is completed any matters found during the audit which meet the audit materiality thresholds for referral to either OGC or ADRO will be referred.

e) If a committee exceeds any of the standards for referral to OGC or ADRO, and no audit referral is approved or contemplated, the matter will be referred directly to OGC or ADRO. [redacted] even if the matter is referred to OGC or ADRO. [redacted].

f) If a committee meets any of the thresholds for referral to OGC, and also meets one or more thresholds for referral to ADRO, [redacted] all issues will be referred to OGC in order to [redacted].

5. Administrative Fines

When Authorized Committees are referred for audit, and subsequently findings are made by the Audit Division and adopted by the Commission that verify the committee failed to file 48-Hour Notices of Contributions of $1,000 or more, the committee will be referred back to RAD for Administrative Fine RTB processing (this includes GELAC committees), provided the violation meets the thresholds for referral detailed in Standard 7. RAD and the Audit Division will coordinate prior to the issuance of the Interim Audit Report (IAR) with the goal of ensuring the amount of the audit finding reconciles with the activity disclosed on the reports. In cases where a committee's reports do not accurately reflect contributions received, a recommendation will be made in the IAR for the committee to amend its reports. [redacted].

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PART III

GOALS AND GUIDELINES FOR REFERRALS TO THE OFFICE OF GENERAL COUNSEL (OGC)

Part III delineates the goals and guidelines for referrals from RAD to OGC. The general objectives of the comprehensive referral policy are to:

- Establish a uniform policy for the referral of all matters to OGC;
- Identify the most serious matters to ensure effective utilization of the Commission's limited resources;
- Limit any unnecessary duplicate consideration of matters by the Audit Division, ADRO or OGC; and
- For matters pertaining to Title 26 Presidential Committees, identify issues which may cause suspension of matching funds payments.

Guidelines:

A committee will be referred to OGC for significant potential violations of the FECA as contained in Part V of this document unless it can demonstrate that no violation occurred, [redacted]

In addition:

1) Legal questions raised during the review process, which have not been previously resolved by the Commission, will be discussed with OGC for consideration of the best action to take. Based upon discussion with OGC, the matter could be referred to OGC as a Request for Guidance.

2) RAD will collaborate with OGC to determine whether novel, complex or significant legal questions warrant Commission consideration in accordance with Directive 69.

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3) In accordance with the Program for Requesting Consideration of Legal Questions by the Commission, RAD will notify persons or entities of the procedure for seeking Commission consideration when there is disagreement with RAD's request for corrective action and the disagreement is based upon a material dispute on a question of law.

4) Any response that indicates that a [redacted] error was made, rather than a true reporting error or violation, [redacted] in a referral to OGC.

5) The analyst will attempt to telephone every committee at least once before referral to OGC to remind the committee that a response is due and clarify any misunderstandings if the committee does not appear to understand the RFAI. Additional calls to the committee may be authorized by the Branch Chief or Assistant Staff Director for RAD. The analyst may request an extension of a referral to OGC based upon additional information received. The Branch Chief may extend the referral due date if necessary.

6) RAD, OGC, Audit and ADRO staff will meet once monthly to discuss potential referrals. These discussions are intended to give OGC and ADRO an idea of pending matters that may lead to a referral. These discussions will also be used to ascertain OGC and ADRO's workload and their ability to handle the upcoming referrals from RAD. During these meetings, RAD will discuss committees with pending referrals that may have other referrals due within 90 days, in order to determine if all issues should be addressed in one referral. RAD will work with OGC and ADRO to expedite a referral based on OGC and ADRO's workload or other unique situation(s).

7) If the committee successfully completes the requirements of a conciliation agreement prior to the preparation of an audit referral, any [redacted] associated with the matter in question [redacted]. Should a committee not complete the requirements as outlined in the conciliation agreement, [redacted].

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PART IV

GOALS AND GUIDELINES FOR REFERRALS TO THE ALTERNATIVE DISPUTE RESOLUTION OFFICE (ADRO)

Part IV delineates the goals and guidelines for referrals from RAD to the Alternative Dispute Resolution Office (ADRO). The general objectives of the comprehensive referral policy are to:

- Establish a uniform policy for the referral of matters to ADRO;
- Identify the most serious matters to ensure effective utilization of the Commission's limited resources;
- Limit any unnecessary duplicate consideration of matters with either the Audit Division or OGC; and
- Educate political committees on the disclosure and compliance requirements of the Act.

Guidelines

Committees will be referred to ADRO based on the applicable standards stated herein for ongoing matters, [redacted]

In addition:

The procedures for circulation of ADRO referrals will vary based on one of two scenarios:

1) When an ADRO referral threshold for a particular standard of review is less than the OGC referral threshold, or there is not an OGC referral threshold for a particular standard of review, these referrals will be circulated directly to the ADR Office.

2) When the ADRO and OGC referral thresholds are the same, the matter will be subject to the OGC Review and Concurrence Process. In this process, OGC will be afforded a 14 calendar day review of the

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proposed referral to make a determination as to whether the matter(s) in question is better suited for standard processing in OGC. This review period can be extended up to 30 days upon request.

If a committee has an outstanding MUR, all ADRO referrals will be subject to the OGC Review and Concurrence Process so that OGC can make a determination as to whether the outstanding MUR and the referral are related.

The analyst will attempt to contact every committee at least once by phone before referral to ADRO to remind the committee that a response is due and clarify any misunderstandings regarding the RFAI. Additional calls to the committee may be authorized by the Branch Chief or Assistant Staff Director for RAD. The analyst may request an extension of a referral to ADRO based on the telephone call or meeting with a committee representative. The Branch Chief may extend the referral due date if necessary.

RAD, OGC, Audit and ADRO will meet once monthly to discuss potential referrals. These discussions are intended to give OGC and ADRO an idea of any forthcoming referrals. These discussions will also be used to ascertain OGC and ADRO's workload and their ability to handle the upcoming referrals from RAD. During these meetings, RAD will discuss committees with pending referrals that may have other referrals due within 90 days, in order to determine if all issues should be addressed in one referral. RAD will work with OGC and ADRO to expedite a referral based on OGC and ADRO's workload or other unique situation(s).

If the committee successfully completes the requirements of the ADRO negotiated settlement prior to the preparation of an audit referral, any [redacted] associated with the matter in question [redacted]. Should a committee not complete the requirements as outlined in the ADRO negotiated settlement, [redacted].

Authorized Committees

Title 26 Presidential Committees will not be referred to ADRO by RAD.

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PART V

STANDARDS FOR NOTIFICATION AND SUBSEQUENT ACTION

Part V defines the types of notices that will be sent by the Reports Analysis Division. It provides an item-by-item listing of when to send a notice and the subsequent assessment of an audit point or referral to OGC or ADRO.

A. Types of Notices

1. Requests for Additional Information (RFAI's – RQ-1, RQ-2, RQ-5 and RQ-9)

RAD will conduct a review of reports and statements to determine whether a committee has met fundamental disclosure and compliance requirements of the Act and to require a committee to take appropriate action to obtain omitted information or to clarify discrepancies. If there is a discrepancy or omission which meets the standards set forth in this Part, the staff will send an RFAI that will require a response.

An RFAI will require a written/electronically filed response (whichever is appropriate) within 35 days. Responses received more than 35 days after the date of the Notice will not be considered for the purpose of rescinding audit points.

RAD will circulate to OGC, ADRO and/or the Audit Division, as appropriate, all RFAIs prepared for any committee involved in an audit, ADR or enforcement matter. OGC, ADRO and/or the Audit Division will be given a 72 hour period to review and respond to the RFAI prior to the mailing of the letter.

2. Non-Filer Notice (RQ-7)

Any committee that does not file a required report will be sent a Non-Filer Letter.

3. Miscellaneous Notice (MS-N)

Any committee required to file electronically that files amendments and statements on paper or that does not amend the actual report, will be sent an MS-N letter.

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4. Miscellaneous Notice for Paper Report (MS-P)

Any committee required to file electronically that files an original report on paper will be sent an MS-P Letter.

5. Termination Letter (MS-K)

Any committee that meets the criteria for termination set forth in Standard 29 of this policy will be sent an MS-K.

6. Disavowal Letter (MS-H)

When an authorized committee of a candidate receives contributions or makes expenditures in excess of $5,000, a MS-H will be sent to the candidate if no Form 2 is on file. The notice will request the candidate to submit a Form 2 or disavow the campaign activity.

7. Acknowledgement of Receipt Letter (MS-B)

Any committee that files a Debt Settlement Plan will be sent an MS-B, which will inform the committee that it must continue to report all debts until the committee is notified that the Commission has completed its review of the debt settlement plan.

8. RFAI for Debt Settlement Plan (MS-C)

Any committee that files a Debt Settlement Plan which includes debts totaling in excess of [redacted] will be sent an MS-C.

9. Administrative Termination Letter (MS-F)

Any committee identified for Administrative Termination action will be sent an MS-F.

10. Informational Paragraph

In an effort to educate committees on reporting issues, an informational paragraph will be sent in cases where an RFAI is being sent on the same report as noted in the review standards herein.

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11. Acknowledgement of Request for Filing Frequency Change – Form 3X (MS-O)

Any committee that files a request to change its filing frequency for Form 3X, will be sent an MS-O which will acknowledge the change and outline the committee's future filing requirements.

12. Acknowledgement of Request for Filing Frequency Change – Form 3L (MS-Q)

Any committee that files a request to change its filing frequency for Form 3L, will be sent an MS-Q which will acknowledge the change and outline the committee's future filing requirements.

B. Compliance Categories

The categories subsequently listed delineate the standards for non-compliance. This section also addresses the problems and violations, which will result in notices being sent, assessments of audit points, and matters that will be referred to OGC, ADRO, or the Administrative Fine Program.

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Standard 1: [R E S E R V E D]

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Standard 2: Statement of Organization (FORM 1)

Notices Sent:

An RFAI (RQ-1) will be sent if a Committee does not file a Statement of Organization (Form 1) or files a Statement of Organization with omitted or inadequate information. In addition, an RFAI (RQ-9) will be sent if an Unauthorized Committee files a Notification of Multicandidate Status (Form 1M) with omitted or inadequate information.

For electronic filers, an RFAI (RQ-1) will be sent if a Committee does not file a complete amended Statement of Organization.

For existing paper filers, an RFAI will be sent to a committee if an amended Form 1 indicating a change in treasurer is not signed, is not an original signature or the signature is that of someone other than the new treasurer. (No notification will be sent to Authorized committees if the candidate signs the report).

For existing committees filing electronically, a letter (MS-N) will be sent if the committee files an amended Form 1 on paper. The letter will inform them of their requirement to file the document electronically.

For new committees filing on paper, an RFAI will be sent to a committee if the original Form 1 is not signed, the signature is not an original or the signature is that of someone other than the treasurer or candidate.

Unauthorized Committees

If a treasurer resigns and no new treasurer has been designated within 10 days of the resignation date, an RFAI will be sent to the Assistant Treasurer. However, the Assistant Treasurer should not be titled as the treasurer on any correspondence sent to the committee.

If a Form 1 indicates a committee type of "Leadership PAC" and also includes language indicating the committee will be operating as a PAC under *Carey v. FEC*, an RFAI will be sent.

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Authorized Committees

An authorized principal campaign committee that has been designated on a candidate's statement of candidacy, and has failed to file a Statement of Organization within 10 days of receipt of the candidate's statement, will be sent an RFAI. When an authorized committee other than a principal campaign committee has been designated and has not filed a Statement of Organization, the authorized committee as well as the principal campaign committee will be notified.

If a candidate for US Vice President is running on the same ticket as a candidate for US President, only one Statement of Organization needs to be filed, provided that both candidates have the same Principal Campaign Committee (PCC).

If a treasurer resigns and no new treasurer has been designated within 10 days of the resignation date, an RFAI will be sent both to (1) the assistant treasurer, if designated; and (2) the candidate, even if there is an assistant treasurer designated.

Applying this Standard

Unauthorized Committees

A Statement of Organization must include the following information:

- Committee's full name and complete address;
- Committee type;
- Connected organization (for SSF's)
- Affiliated committee;
- Type of connected organization (for SSF's);
- Bank depository;
- Treasurer's name and address;
- Signature of Treasurer or other authorized individual[4](for new committees and paper filers);
- E-mail address;
- For joint fundraising committees authorized by a candidate (box 5(b)), the full name of the candidate, office sought, State and district (if applicable) and party affiliation;

[4] An "other authorized individual" is only permitted to sign an Amended Statement of Organization. A new Statement of Organization must be signed by the Treasurer.

- For committees that support or oppose only one candidate (not authorized by a candidate), the full name of the candidate;
- For independent expenditure only political committees, an attached cover letter with approved language from AO 2010-09 and AO 2010-11; and
- For PACs that maintain a non-contribution account, an attached cover letter with language consistent with Commission guidance issued in 2011.

A Notification of Multicandidate Status (FEC Form 1M) must include the following information:

- An affiliated committee's name, FEC Committee ID Number and date of affiliation (if qualifying based on affiliation);
- The name, office sought, state and district (if applicable), and contribution date for five federal candidates (for PACs and Local Party Committees);
- The date of the contribution from the 51st contributor;
- The date of registration; and
- The date of qualification.

In addition, an RFAI will be sent if:

- the name of the connected organization is not in the name of a separate segregated fund;
- the committee's name includes a Federal candidate's name, or a portion thereof that clearly identifies the candidate (with the exception of joint fundraising committees that have an authorized committee as a participant);
- clarification and/or additional documentation is needed for affiliations, disaffiliations or connected organizations; and
- the information provided by the committee on Form 1M does not match the FEC records.

Authorized Committees

A Statement of Organization must include the following information:

- Committee's full name and complete address;
- Committee Type;
- E-mail address (Required for e-filers only);
- Treasurer's name and address

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- Signature of Treasurer or other authorized individual[5] (for new committees and paper filers);
- Bank depository; and
- Full name of candidate, office sought, party affiliation, state and/or district.

An RFAI will be sent to the Principal Campaign Committee if RAD determines that the Statement of Organization was not timely filed (within 10 days of Statement of Candidacy).

If the treasurer of a committee resigns and no new treasurer is designated within 10 days, all future correspondence will be sent to the assistant treasurer or, when there is not one, the candidate. If correspondence is sent to the designated assistant treasurer, he or she should not be addressed as the treasurer.

Joint Fundraising Committees

- Committee's full name and complete address;
- Committee type;
- Bank depository;
- Treasurer's name;
- Signature of Treasurer or other authorized individual[6] (for new committees and paper filers);
- Identity of joint fundraising participants; and
- Identity of joint fundraising representative.

A committee listed as a Joint Fundraising Participant on the Statement of Organization of a Joint Fundraising Committee must amend its Form 1 to indicate the joint fundraising relationship.

***Assessment of Audit Points*:**

[redacted] will be assessed under this Standard.

[5] An "other authorized individual" is only permitted to sign an Amended Statement of Organization. A new Statement of Organization must be signed by the Treasurer or Candidate.
[6] An "other authorized individual" is only permitted to sign an Amended Statement of Organization. A new Statement of Organization must be signed by the Treasurer or, for Authorized Committees, the Candidate.

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Referral to ADRO:

For Authorized and Unauthorized Committees, RAD will only make a referral [redacted].

For Unauthorized Committees only, a referral will be made to ADRO if a committee does not respond or responds inadequately to an RFAI for [redacted].

A referral to ADRO will be made when a committee does not respond or inadequately responds to an RFAI for [redacted].

For Authorized and Unauthorized Committees, a referral will be made to ADRO if a committee does not respond or responds inadequately to an RFAI for [redacted].

Referral to OGC:

[redacted].

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Standard 3: Statement of Candidacy

(This Standard does not apply to Unauthorized Committees)

Notices Sent:

A Disavowal Letter (MS-H) will be sent to an individual when a committee discloses receipts or expenditures (including debts) in excess of $5,000 on the person's behalf, and no Statement of Candidacy has been filed for the applicable election cycle. If the individual does not respond to the disavowal letter within 30 calendar days, he or she will be considered a candidate under the Act.

A Disavowal Letter (MS-H) will be sent to the candidate when a Form 2 is filed, no PCC is designated and a Form 1 has been filed for a new committee using the candidate's name.

A Disavowal Letter (MS-H) will be sent to a candidate when their authorized committee receives contributions/distributions from a joint fundraising committee that has not been authorized by the candidate.

A Letter (RQ-5) will be sent to a candidate when a Form 2 is filed and any of the required information is omitted or inadequate. When a Form 2 is filed with missing or inaccurate information, an RQ-5 is sent to the candidate. The letter will request the candidate to submit a new Form 2 within 30 days.

Presidential Committees: In cases where a committee files a Statement of Organization, stating that it is an authorized committee supporting a Presidential candidate, and no Statement of Candidacy is on file with the Commission, the individual named will be sent a notification (MS-H) requesting a Statement of Candidacy or a disavowal of the committee.

A Statement of Candidacy is required to be filed by any presidential or vice presidential candidate seeking nomination or election to the Offices of US President or US Vice President. If only a Statement of Candidacy is filed by the presidential candidate and not the vice presidential candidate, a notice (MS-H) will be sent to the vice presidential candidate.

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Applying This Standard:

All receipts and expenditures made by all committees authorized by the candidate for the current election cycle are counted toward the in excess of $5,000 threshold.

In order to be considered adequately filed, a Statement of Candidacy must disclose the following information:

- Complete name and address of the candidate
- Name and address of the principal campaign committee
- Year of Election
- Office Sought
- State & District (if applicable)
- Party Affiliation
- Signature (for new candidates and paper filers)

Assessment of Audit Points:

[redacted] will be assessed under this Standard.

Referral to ADRO:

[redacted]

Referral to OGC:

[redacted]

Title 26 Candidates: If the individual [redacted], the matter will be referred to the Office of General Counsel.

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Standard 4: Failure to File Reports and Late Filing

***Notices Sent/Applying this Standard*:**

a. Original Reports

Any committee that does not file a required Form 3, 3X or 3L report will be sent a non-filer notice. For Form 3L, this determination will be made for semi-annual covered periods only (January 1 through June 30, and July 1 through December 30), and will be based on a prior quarterly or monthly report filed by the committee. For Form 5, this determination will be made [redacted]

1) Paper Filers

- An RFAI will be sent if a committee submits an illegible report or one filed on the wrong form type.

- An RFAI will be sent if a committee files on superseded FEC forms. [redacted] will be sent if a committee has [redacted].

- An RFAI will also be sent if a report is not signed, the signature is not an original or, someone other than the treasurer or designated agent signed the report. However, [redacted].

2) Electronic Filers

A report[7] will be considered not filed when:

- A committee or entity qualifies as an electronic filer (i.e., receives contributions or makes expenditures in excess of $50,000 in a calendar year) and files a paper report; or

- A committee or entity already filed a report electronically during the current calendar year and subsequently files a paper report[8].

[7] This includes Forms 1, 1M, 3, 3P, 3X, 3L, 4, 6 and 5.
[8] This includes committees or entities that file a Webform.

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The committee or entity will be sent a letter (MS-P) informing them that the report is considered not filed and will instruct them to file the report electronically. The paper report will then be changed to a miscellaneous document (MS-T) in the FEC database.

Electronic filers that file on disk must also provide a separate written certification (i.e., Summary Page) with an original signature. Diskettes submitted without the accompanying written certification are rejected.

For committees or entities using an old or incorrect version/format of software:

- An RFAI will be sent if a committee or entity submits a report electronically on the wrong form type.

Authorized Committees – Transactions involving either the forgiveness of candidate debt/ personal fund loans or the restructuring of loans where no actual receipts or disbursements of funds occur will not be included when determining whether a committee has exceeded the $50,000 electronic filing threshold for contributions or expenditures.

b. Amendments

1) Paper Filers

An RFAI will be sent if a committee or entity files amendments on superseded FEC forms. Amendments to reports from prior cycles can be filed on superseded FEC forms.

2) Electronic Filers

A letter (MS-N) will be sent when a committee or entity voluntarily files a paper amendment to an electronically filed report informing the committee or entity the amendment is considered not filed (except as noted below).

A letter (MS-N) will be sent when a committee or entity files an electronic miscellaneous text submission (Form 99) in lieu of an amended report to reflect changes to the Summary Page, Detailed Summary Page and/or supporting Schedules.

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All amendments filed on paper will not be considered filed (except as noted below).

The exceptions to these procedures are when a committee files paper copies of refund checks, proof of redesignations (i.e., copies of letters) and reattributions, loan agreements, Schedule C-1's with original signatures, statements of forgiveness for candidate personal fund loans (for Authorized committees only), and any other items which may be impractical to file electronically. In addition, there is an exception for paper amendments to reports that were originally filed correctly on paper. These amendments must be filed on paper for processing purposes. An exception will also be made when a committee is attempting to terminate by filing on paper due to extenuating circumstances.

If the paper document is not one of the exceptions noted above, it will be changed to a miscellaneous document (MS-T) in the FEC database.

***Assessment of Audit Points*:**

A committee meeting the criteria below will be assessed [redacted] for each report (Form 3, 3P, or 3L) that is either filed late or not filed. This applies to (1) Unauthorized Committees and (2) Authorized Committees of current election cycle candidates. Furthermore, Authorized Committees of candidates who [redacted] in the primary election [redacted] on reports filed after the [redacted] Report or equivalent (e.g., [redacted] Report).

In addition to the above, while Unauthorized Committees [redacted] under this Standard for any required report during an election cycle, Authorized Committees are only [redacted] for the reports required to be filed during the election year.

Late filing for reports means the report has not been filed by the close of business of the [redacted] business day after the due date of the report. Saturday will not be considered a business day for the purpose of determining the number of late business days for audit point assignment purposes. (However, Saturday is considered a business day for publishable non-filer letter notifications for election-sensitive reports filed by Principal Campaign Committees of current candidates (See Commission Directive 1)).

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Committees will be assessed [redacted] for failing to respond to an RFAI.

[redacted] will be assessed for failing to respond to an RFAI sent for a report that is not signed, the signature is not an original, or someone other than the treasurer or designated agent signed the report. In addition, [redacted] be assessed on issues addressed with an MS-N.

Illegible reports and reports seriously deficient in disclosure, as defined below, will be subject to this Standard.

Authorized Committees – [redacted] be assessed when a new Principal Campaign Committee fails to file the first required quarterly report after the filing of Forms 1 and 2 and the committee's activity level (receipts or disbursements over $5,000) triggers the filing requirement.

Unauthorized Committees - [redacted] be assessed when a quarterly filer does not file a [redacted] Report, and the next report filed discloses federal contributions or expenditures made in connection with the general election during the [redacted] reporting period.

Reports "*seriously deficient in disclosure*" include,

1. A committee that files the Summary and/or Detailed Summary Pages indicating that supporting schedules are required but not provided, regardless of amount, will be treated as a non-filer. Reports which contain at least one of the necessary schedules will be subject to Standard 7, Failure to Provide Supporting Schedules;

2. Reports filed on non-FEC forms (i.e., State forms)

3. Reports filed on the wrong FEC form type ([redacted] will be assessed for House and Senate committee reports filed on Form 3X or Form 3P)

4. Illegible reports - illegibility will be determined by the Branch Chief, in consultation with the Assistant Staff Director of the Reports Analysis Division. This decision will be based primarily on the quality of the report as imaged for the public record.

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5. For Unauthorized Committees – A 12 Day Pre-General Report, a 30 Day Post-General Report, a Year End Report during an election year or a Monthly Report that does not cover [redacted] will be treated as a non-filed report. In addition, a Quarterly Report that does not cover [redacted], and a Semi-annual Report that does not cover [redacted], will also be treated as a non-filed report. A non-filer notice (RQ-7) will be sent in these situations regardless of whether there is a beginning/ending cash-on-hand discrepancy.

6. For Authorized Committees – A 12 Day Pre-Election Report, a 30-Day Post Election Report, and election sensitive Quarterly Reports that do not cover [redacted] will be treated as a non-filed report. In addition, non-election sensitive Quarterly Reports that do not cover [redacted] will also be treated as a non-filed report. A non-filer notice (RQ-7) will be sent in these situations regardless of whether there is a beginning/ending cash-on-hand discrepancy.

7. For Title 52 Authorized/Presidential Committees – A pre-election report, a 30 Day Post-General Report, a Year End Report during an election year or a Title 52 Presidential Monthly Report that does not cover [redacted] will receive a non-filer notification. In addition, a Quarterly Report that does not cover [redacted], will also be treated as a non-filed report. If the coverage dates were typed incorrectly, a [redacted] be assessed.

Referral to ADRO:

If a committee has issues or difficulties in filing reports (i.e., illegibility or software problems), a referral may be made if RAD determines that the committee may benefit from training or other corrective action.

In consultation with the Assistant Staff Director, RAD will identify and monitor committees that report activity in a manner that prevents their inclusion in the Administrative Fine Program or

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results in paying a reduced fine amount. [redacted] RAD would refer the committee to ADRO if such instances concern at least [redacted] reporting periods (not necessarily consecutive) in an election cycle and the combined total activity omitted from the original reports is at least [redacted].

***Referral to OGC*:**

In consultation with the Assistant Staff Director, RAD will identify and monitor committees that report activity in a manner that prevents their inclusion in the Administrative Fine Program or results in paying a reduced fine amount. [redacted] RAD would refer the committee to OGC if such instances concern at least [redacted] reporting periods (not necessarily consecutive) in an election cycle and the combined total activity omitted from the original reports is at least [redacted].

Committees that file a report more than [redacted] days late and have receipts and disbursements exceeding [redacted] during the election cycle will be subject to the Administrative Fines program rather than being referred to OGC. Those committees that cross the mandatory electronic filing threshold [redacted]

Entities (persons other than political committees) that file a Form 5 Quarterly Report (Report of Independent Expenditures and Contributions Received) more than [redacted] days late and have receipts and expenditures combined exceeding [redacted] will be referred to OGC.

A committee that has not filed reports for [redacted] and its cash on hand exceeds [redacted] will be referred to OGC/Compliance Advice Team for evaluation of potential administrative termination or for enforcement action, as determined by OGC, if the committee does not otherwise qualify for inclusion in the Administrative Fine Program.

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State, District and Local Party committees that file a Quarterly Report(s) which discloses Federal Election Activity totaling in excess of [redacted] per [redacted], will be referred to OGC for failing to file under a monthly reporting schedule.

Title 26 Presidential Committees

Failure to File Reports: If after [redacted] business days the committee has not filed a required report, OGC and the Assistant Staff Director of the Audit Division will be notified.

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Standard 5: Excessive, Prohibited and Other Impermissible Contributions or Transfers

***Notices Sent*:**

Unauthorized Committees

1) An RFAI will be sent to a committee if the apparent violations in question (including receipts from unregistered sources) total [redacted] or more and [redacted] of the applicable line item total.[9]

2) An RFAI will be sent to a committee if the apparent violations in question (including receipts from unregistered sources) total in excess of [redacted].

3) An RFAI which notes that corrective action has been taken will be sent to a committee when the total prohibited, excessive and/or impermissible contributions and transfers per report meet one of the RFAI thresholds above and have been: (1) refunded, reattributed, redesignated or transferred-out more than [redacted] days after receipt/disbursement for excessive and/or impermissible contributions, or (2) refunded or transferred-out more than [redacted] days after either the date of receipt or the date when the illegality was discovered (if that date can be determined), for prohibited contributions, which for this purpose includes contributions from unregistered sources.

Authorized Committees

1) An RFAI will be sent if the apparent violations in question (including receipts from unregistered sources) are [redacted] or more for Title 52 House and Senate Committees and Title 26 Presidential Committees/ [redacted] or more for Presidential Title 52 and exceed [redacted] of total contributions (as reported on Line 11(e), Column A, of the Detailed Summary Page of Form 3; or on Line 17(e), Column A, of the Detailed Summary Page of Form 3P).

2) An RFAI will be sent if the apparent violations in question (including_receipts from unregistered sources) are in excess of [redacted] for either Title 52 House and Senate or

[9] For contributions received from individuals, Line 11(a)(iii) will be used.

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Title 26 committees, regardless of the [redacted] threshold.

3) An RFAI will be sent if the apparent violations in question (including receipts from unregistered sources) are in excess of [redacted] for Title 52 Presidential Committees, regardless of the [redacted] threshold.

4) An RFAI which notes the refund of excessive and/ or prohibited contributions and the existence of a violation will be sent in cases where the total excessive/ prohibited contributions are [redacted] or more for Title 52 House and Senate Committees and Title 26 Presidential Committees/ [redacted] or more for Title 52 Presidential Committees and exceeds [redacted] of the total contributions (as reported on Line 11(e), Column A, of the Detailed Summary Page of Form 3; or on Line 17(e), Column A, of the Detailed Summary Page of Form 3P) and have been refunded, redesignated, reattributed, or repaid either 1) more than [redacted] days after receipt for excessive contributions or 2) more than [redacted] days after receipt or when the illegality was discovered for prohibited contributions (if that date can be determined), which for this purpose includes contributions from unregistered sources .

5) Title 26 Presidential Committees: An RFAI will be sent if the candidate has contributed (including loans) or expended in excess of [redacted] for the purpose of influencing his/her nomination or election. RAD will coordinate with OGC and Audit concerning any potential problems that may arise in this area.[10]

Applying this Standard:

GENERAL

The analyst will check with the appropriate Secretary of State (via web page or phone) in an attempt to verify the status of any contribution that might be from an incorporated entity (e.g., LTD, Company, etc.). If, after consultation with the Secretary of State, the analyst is unable to determine the status of the entity in question, the assumption is that the entity is incorporated unless the committee states otherwise. When this type of research involves large numbers of contributions or if contradictory information is received, written verification may be requested.

[10] The analyst will keep track of any repayments made and provide this information to the Audit Division.

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UNAUTHORIZED COMMITTEES

Examples of Prohibited, Excessive and/or Impermissible Activity can include:

a) Funds received from unions, corporations (i.e., disclosed as Inc.), and national banks. See 52 U.S.C. §30118 (formerly 2 U.S.C. §441b).[11]

b) Contributions received from possible incorporated entities (e.g., LTD, Company). See 52 U.S.C. §30118 (formerly 2 U.S.C. §441b).[12]

c) Reimbursements received by a separate segregated fund from its connected organization outside of the 30 day period permitted under 11 CFR §114.5(b)(3).

d) Transfers received by a federal account from its non-federal account(s) for purposes other than the payment of shared activities; and transfers and contributions received from other federal committees that are not disclosed on the donors' report or a smaller amount is disclosed on the donors' report.

e) Cash contributions received in excess of $100 and anonymous contributions received in excess of $50, as so noted on the report.

f) Reimbursements made or debts owed by a federal account to its non-federal account for federal activity. See 11 CFR §102.5(a). (Allocated Federal Election Activity will be handled under Standard 12.) (Allocated federal and non-federal activity will be handled under Standard 13.)

g) Reimbursements made or debts owed by a separate segregated fund to its connected organization for activity prohibited by 52 U.S.C. §30118 (formerly 2 U.S.C. §441b) and services (i.e., catering, staff services, lists) provided to an SSF by its connected organization in connection with a fundraiser on behalf of a federal candidate, where it does not appear the committee paid for the services in advance. See 11 CFR §114.2(f) In

[11] Independent Expenditure only PACs or non-contribution accounts of Hybrid PACs will not be questioned for the receipt of funds from corporations or labor organizations.
[12] Independent Expenditure only PACs or non-contribution accounts of Hybrid PACs will not be questioned for the receipt of funds from incorporated entities.

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addition, reimbursements made to Unregistered Organizations, Corporations and Labor Organizations for apparent in-kind contributions made to a political committee.

h) Contributions made in excess of the limitations of 52 U.S.C. §30116 (formerly 2 U.S.C. §441a.)[13]

i) Contributions made to a publicly-financed Presidential nominee for the general election, when it is not clear the contribution is for a general election legal and accounting fund ("GELAC").

j) Contributions made to federal candidates for debt retirement when no debt is declared by the candidate, in-kind contributions made on behalf of federal candidates designated for the general election but made before the primary election, and contributions made to federal candidates after an election with no debt designation.

Contributions designated for the primary election, but made after the general election date, will be considered made for the next federal primary election that the candidate is eligible for. Contributions designated for the general election through the end of the election year that do not specify a year of election, will be considered made for the general election for that calendar year.

k) All earmarked contributions for authorized committees that are forwarded more than 10 days after receipt. See 11 CFR §102.8(a)

l) Contributions from LLCs where it is not clear on the face of the report that the entity is eligible to make contributions in accordance with 11 CFR §110.1(g) (i.e., not clearly noted as partnership).[14]

m) Contributions from individuals for which a foreign address has been disclosed. See 11 CFR §110.20[15]

[13] Independent Expenditure only PACs or non-contribution accounts of Hybrid PACs will not be questioned for receipt of excessive contributions.
[14] Independent Expenditure only PACs and non-contribution accounts of Hybrid PACs will not be questioned.
[15] A response that indicates the safe harbor guidelines outlined under 110.20(a)(7) are followed for **all** contributions received from a foreign address will prevent additional inquiry for the remainder of the two-year election cycle.

n) Prohibited/Excessive contributions disclosed on Schedule A, Line 17 by "Carey" committees without "non-contribution account" language.

o) Contributions made to federal candidates and committees by "Carey" committees that appear to be made from a "non-contribution account or when there appears to be insufficient funds in the federal account to make such contributions."

p) Contributions/transfers received from unregistered organizations and/or non-federal accounts of other committees. See 52 U.S.C. §§30116(f) and 30118 (formerly 2 U.S.C. §§441a(f) and 441b) or 11 CFR §102.5(b).[16]

Receipts from Federal Candidates

Receipts from Federal candidates will not be reviewed under this Standard but will be reviewed under Standard 9 for proper disclosure.

Erroneously Deposited Funds into the Non-Federal Account

Notification will not be sent in cases where the federal account receives a transfer from its non-federal or Levin account of erroneously-deposited funds, if the return transaction is accomplished within [redacted] days from the date of mis-deposit, and the committee demonstrates that the funds were intended for the federal account and were federally permissible.

Notification will be sent if:

- the date of deposit into the non-federal or Levin account is unknown,
- the itemization of funds is not provided,
- the return transaction was completed more than [redacted] days from the date of the mis-deposit, or
- the committee does not demonstrate that the funds were intended for the federal account and were federally permissible.

Erroneously Deposited Funds into the Federal Account

Notification will not be sent in cases where the federal account receives funds that were intended for the non-federal or Levin account, if the transfer of funds or refund occurs within [redacted] days

[16] Independent Expenditure only PACs and non-contribution accounts of Hybrid PACs will not be questioned.

from the date of the mis-deposit for prohibited receipts which includes receipts from unregistered sources, or within [redacted] days from the date of mis-deposit for impermissible and excessive receipts.

Notification will be sent if:

- the itemization of funds is not provided, or
- the transfer-out or refund is completed more than [redacted] days from the date of the mis-deposit for prohibited receipts which includes receipts from unregistered sources, and more than [redacted] days from the date of the mis-deposit for impermissible and excessive receipts.

Loan Repayments from Non-Federal Account

With regard to loan repayments received from a non-federal account, an RFAI will be sent to the federal account questioning the source of funds used for the repayment and will advise the committee that if prohibited funds were used, the full amount must be returned to the non-federal account. If it is determined that permissible funds were used, no further action will be taken. Prohibited and/or impermissible contributions and transfers relating to Allocated Federal Election Activity will be handled under Standard 12.

Prohibited and/or impermissible contributions and transfers relating to Allocated Federal and Non-Federal activity will be handled under Standard 13.

AUTHORIZED COMMITTEES

This Standard is concerned with excessive contributions and prohibited contributions, including loans, goods, services, advances from committee staff and other individuals, and transfers from committees that previously supported the candidate for state or local office. This applies to excessive contributions made or received by a committee, and prohibited contributions received by a committee.

If a candidate loses or decides not to participate in the primary (or another qualifying election), and has raised money for a future election he/she will not be participating in, those contributions are considered excessive unless they are either refunded, reattributed, or redesignated within [redacted] days of the candidate's non-participation decision. If reattributions and redesignations are not an

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option and the committee cannot refund the contributions (i.e. the contributors cannot be found), the excessive amount should be disgorged to the U.S. Treasury.

In calculating the dollar amounts for determining which notices will be sent, excessive contributions refunded, reattributed, redesignated or repaid by the [redacted] day after receipt will not be included. Prohibited contributions refunded by the [redacted] day after receipt or after discovery of the illegality (if that date can be determined) will also not be included.

For Title 26 Presidential Committees, any excessive contribution redesignated to the legal and accounting fund within [redacted] days of receipt and with proper authorization from the donor will also not be included.

Included under the review for this standard are loans a committee receives from a lending institution(s), when the loan's collateral may involve jointly held property of the candidate and another person (i.e., their spouse).

Prohibited Receipts

Funds received from unions, corporations (i.e., disclosed as Inc.), and national banks. See 52 U.S.C. §30118 (formerly 2 U.S.C §441b).

Contributions received from possible incorporated entities (e.g., LTD, Company). See 52 U.S.C. §30118 (formerly 2 U.S.C. §441b).

Contributions from LLCs where it is not clear on the face of the report that the entity is eligible to make contributions in accordance with 11 CFR §110.1(g) (i.e., not clearly noted as partnership).

Contributions from individuals for which a foreign address has been disclosed. See 11 CFR§110.20.[17]

Contributions/transfers received from unregistered organizations and/or non-federal accounts of other committees. See 52 U.S.C. §§30116(f) and 30118 (formerly 2 U.S.C. §§441a(f) and 441b) or 11 CFR §102.5(b).

[17] A response that indicates the safe harbor guidelines outlined under 110.20(a)(7) are followed for **all** contributions received from a foreign address will prevent additional inquiry for the remainder of the two-year election cycle.

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Excessive/Impermissible Contributions

Contributions received or made in excess of the limitations of 52 U.S.C. §30116 (formerly 2 U.S.C. §441a).

Contributions made to federal candidates for debt retirement when no debt is declared by the candidate.

In-kind contributions made on behalf of federal candidates designated for the general election but made before the primary election.

Contributions made to federal candidates after an election with no debt designation.

Disbursements to National, State and Local Political Parties

Disbursements (contributions or transfers) to national, state and/or local political parties will not be reviewed under this Standard but will be reviewed under Standard 10 for proper disclosure.

Primary After Primary/ General After General Contributions Received After the Primary/ General Election:

- No notice will be sent if the committee discloses receipt of primary/general contributions after the primary/ general election date, provided the committee has net debts outstanding for the primary/ general election and the total amount of applicable contributions received does not exceed the net debt amount.
- If it appears the committee does not have net debts outstanding for the primary/general election, an RFAI will be sent.

Wrong Election Designation for Caucus/Convention Contributions

- An RFAI will be sent if it appears that an incorrect election designation may result in an excessive contribution(s) if a primary election is held after a convention/caucus. If the contributor designated the contribution to the Primary Election in error, a redesignation from the contributor may be necessary.
- If no election was designated by the contributor, the contribution will be applied to the next election for the federal office the candidate is seeking after the contribution date. (11 CFR §§ 110.1(b)(2) and 110.2(b)(2))

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Restrictions on Repayment of Candidate Loans/Debts (House, Senate & Title 2 Presidential)

Contributions received after the applicable election to repay candidate personal fund loans in excess of $250,000 are considered prohibited contributions. Contributions received on or before the day of election can be used to repay all candidate personal fund loans provided the loans are repaid within 20 days of the appropriate election.

Cash and Anonymous Contributions

Cash contributions received in excess of $100 and anonymous contributions received in excess of $50, as so noted on the report, will be handled in accordance with this Standard.

***Assessment of Audit Points*:**

[redacted] will be assessed per reporting period if a committee does not respond or inadequately responds to an RFAI, where the total of apparent prohibited, excessive or impermissible contributions is [redacted] or more and exceeds [redacted] of the applicable Column A Line total (with the exception of Title 52 Presidential Committees).

[redacted] will be assessed per reporting period if a Title 52 Presidential Committee does not respond or inadequately responds to an RFAI, where the total of apparent prohibited, excessive or impermissible contributions is [redacted] or more and exceeds [redacted] of the applicable Column A Line total.

[redacted] will be assessed per reporting period if a Title 52 House or Senate committee or a Title 26 Presidential committee does not respond or inadequately responds to an RFAI, where the apparent violations in question are in excess of [redacted]

[redacted] will be assessed per reporting period if a Title 52 Presidential committee does not respond or inadequately responds to an RFAI, where the apparent violations in question are in excess of [redacted].

[redacted] will be assessed per reporting period if an unauthorized committee does not respond or inadequately responds to an RFAI, where the apparent violations in question are in excess of [redacted].

A committee will be assessed [redacted] if it does not respond or responds inadequately to an RFAI where the total of apparent prohibited, excessive or impermissible contributions

exceeds [redacted] of the applicable Column A line item total and is [redacted] or more ([redacted] for Title 52 Presidential Committees). [redacted] will be assessed if this amount exceeds [redacted] of the applicable Column A line item total and is [redacted] or more ([redacted] for Title 52 Presidential Committees).

In calculating the dollar amounts, excessive and impermissible contributions and transfers that have been refunded, reattributed, redesignated or transferred-out by the [redacted] day after receipt or disbursement will not be included. Prohibited contributions, including contributions from unregistered sources, refunded by the [redacted] day after receipt, or after the date the illegality was discovered (if that date can be determined), will also not be included.

Unauthorized Committees

Point assessment calculation for entries that are reported on the wrong line (i.e., contributions to federal candidates on Schedule B for Line 29), will be based on the Column A line total they should have been reported on.

Earmarked Contributions

For undeposited earmarked contributions received for authorized committees that are forwarded outside of the 10-day window, the total amount of all earmarked contributions passed on in the form of the contributor's check will be used as the line item total for point assessment purposes.

***Referral to ADRO*:**

For Unauthorized and Authorized Committees (with the exception of Title 52 Presidential Committees), a referral will be made to ADRO in cases where the total amount of apparent excessive, prohibited, and/or impermissible contributions (for which an RFAI has been sent) aggregates in excess of [redacted] for the [redacted] ([redacted] for Unauthorized Committees) and does not meet the threshold for referral to OGC when the excessive, prohibited, and/or impermissible contributions have not been refunded, redesignated, reattributed or transferred out within the permissible time frame (over [redacted] days of receipt of excessive and/or impermissible contributions and over [redacted] days of receipt of prohibited contributions).

For Title 52 Presidential Committees, a referral will be made to ADRO in cases where the total amount of apparent excessive, prohibited, and/or impermissible contributions (for which an RFAI has been sent) aggregates in excess of [redacted] and [redacted] for the [redacted] and does not meet the threshold for referral to OGC when the excessive, prohibited, and/or impermissible contributions have not been refunded, redesignated, reattributed or transferred out within the permissible time frame (over [redacted] days of receipt of excessive and/or impermissible contributions).

A referral to either OGC or ADRO will consider the election cycle-to-date activity as of the closing date for the 30 Day Post-General Report for committees supporting candidates in the general election and as of the closing date for the report covering the primary election date for committees supporting candidates that lost in the primary. The periods considered will be adjusted accordingly if the candidates are involved in a runoff for either the primary or general elections.

If an amendment is received in response to the questions regarding jointly held property which indicates that the terms of the loan are in compliance with Commission Regulations, no referral will be made.

Referral to OGC:

General

In cases where a refund, redesignation, or reattribution is made within [redacted], such violations will not be counted toward the threshold for a possible referral to OGC.

The analyst will examine the next report filed by the committee (and wait if necessary), to determine whether a potential refund, repayment, or transfer-out will cancel the referral.

There will be no referrals made to OGC under this Standard for Title 26 Committees.

Unauthorized Committees

A referral to OGC will be made when the total amount of apparent violations (for which an RFAI was sent) that are not corrected within [redacted] exceed [redacted]

[redacted] and exceed [redacted] of the appropriate [redacted] line total from the Detailed Summary Page of the [redacted] report for the [redacted].[18]

Authorized Committees

A referral will be made to OGC when the total amount of apparent violations (for which an RFAI was sent) that are not corrected within [redacted] aggregate in excess of [redacted] for the [redacted] and exceed [redacted] of the total contributions for the [redacted] (as listed on Column B, Line [redacted] of the Detailed Summary Page of Form 3; or on Column B, Line [redacted] of the Detailed Summary Page of Form 3P).

A referral to either OGC or ADRO will consider the election cycle-to-date activity as of the closing date for the 30 Day Post-General Report for committees[19] supporting candidates in the general election and as of the closing date for the report covering the primary election for committees supporting candidates that lost in the primary. The periods considered will be adjusted accordingly if the candidates are involved in a runoff for either the primary or general elections. Candidates who do not participate in an election (e.g., candidates who withdraw from the primary or general election) will be referred based on the activity through the date when they stopped competing.

Presidential Candidates: A committee of a Presidential candidate who uses multiple committees (i.e., primary committee, general committee), will be referred once the election for which the committee was created is over.

If an amendment is received in response to the questions regarding jointly held property which indicates that the terms of the loan are in compliance with Commission Regulations, no referral will be made.

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[18] For example, if a committee's report disclosed contributions from unregistered organizations on Line [redacted] and transfers from non-federal accounts of other committees on Line [redacted] [redacted] to determine whether the matter should be referred.

For Senate Committees, an assessment of the election cycle-to date activity [redacted].

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Standard 6: Mathematical Discrepancies

Notices Sent:

An RFAI will be sent when the total mathematical discrepancies on a report or between two reports exceed [redacted] and [redacted] of the total receipts of the report.

An RFAI will be sent when the mathematical discrepancies on a report or between two reports exceed [redacted], regardless of the [redacted] threshold.

Applying This Standard:

General

Examples of mathematical discrepancies include addition or subtraction errors, cash-on-hand balance discrepancies, improperly reported voids/refunds, lack of reconciliation between amounts on the Detailed Summary and Summary Pages, disclosing financial activity provided on a previous report, and failure to properly carry forward figures from itemized schedules to the Detailed Summary Page where the total of the supporting schedule is greater than the line item figure on the Summary or Detailed Summary Page. Mathematical discrepancies within the supporting schedules are subject to the above criteria. Mathematical discrepancies relating to loan or debt balance calculations within supporting schedules (C & D) are also subject to this standard.

When it is clear that a mathematical discrepancy on a report causes a discrepancy elsewhere on the report, only the original discrepancy will be counted toward the threshold in determining which notices will be sent.

Cash-On-Hand Discrepancies

A committee that discloses overlapping coverage dates, a discrepancy between ending and beginning cash-on-hand, and/or cash adjustments without supporting information will be handled under this standard. A gap in coverage dates that does not result in a discrepancy between ending and beginning cash-on-hand will not be sent a notice.

For Unauthorized Committees, gap in coverage date situations that trigger a non-filer letter, as

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outlined under Standard 4, will not be addressed under this Standard for math discrepancies.

Discrepancies between ending and beginning balances of debts and loans will be reviewed under Standard 7.

Unauthorized Committees

Mathematical discrepancies relating to Federal Election Activity will be handled under Standard 12 and mathematical discrepancies relating to Allocated Federal and Non- Federal Activity will be handled under Standard 13.

Aggregate year-to-date totals

Aggregate year-to-date totals for contributions from all sources will be reviewed under this standard in instances where the aggregate year-to-date totals are less than the itemized entries. When the aggregate year-to-date totals are greater than the itemized entries, it will be handled as a missing schedule under Standard 7.

On Schedule A, it will be considered acceptable if a committee reports aggregate year-to-date figures as a running total or as a grand total through the end of the reporting period.

Discrepancies relating to the Calendar Year-To-Date, Per Election, for Office Sought Total on Schedule E and the Aggregate General Election Expenditure Total on Schedule F will be handled under this Standard.

A notice will NOT be sent in the following cases:

a) a committee does not list a total for Line 11(a)(iii) but it appears on Line 11(d);

b) a total appears on Line 11(a)(iii), but not on Line 11(d) provided that Line 11(b) and 11(c) disclose no activity;

c) a total appears on Line 21(b), but not on Line 21(c) provided that Line 21(a)(i) and 21(a)(ii) disclose no activity;

d) a committee does not list the totals for Lines 20 and 32 provided the committee does not disclose shared activity; and

e) failure to provide Calendar Year-to-Date figures on the first report of the year.

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Authorized Committees

Aggregate Election Cycle-to-Date Totals

Aggregate election cycle-to-date totals for contributions from all sources will be reviewed under this standard in instances where the aggregate election cycle-to-date figure is less than the itemized entries. When the aggregate election cycle-to-date figure is greater than the itemized entries, it will be handled as a missing schedule in accordance with Standard 7.

On Schedule A, it will be considered acceptable if a committee reports aggregate election cycle-to-date figures as a running total or as a grand total through the end of the reporting period.

For new committees, a notice will not be sent for failure to provide election cycle-to-date figures on the first report of the election cycle.

A committee that reports coordinated expenditures will be subject to this Standard.

A committee will not be cited for missing or incorrect aggregate or election cycle to date figures when reporting earmarked contributions from conduit committees.

Post Election Detailed Summary Page

A math discrepancy will occur if a committee does not provide a post-election detailed summary page on the 30 Day Post-General Election Report, a 30 Day Post-Special General Election Report, or Year-End Report in the Election Year, whichever is applicable. A math discrepancy will also occur if a committee provides a Post-Election Detailed Summary Page for a report for which it should not be provided.

Assessment of Audit Points:

[redacted] per reporting period will be assessed if a committee does not respond or responds inadequately to an RFAI.

Referral to ADRO:

A referral to ADRO may be made if a committee does not respond or inadequately responds to an RFAI regarding [redacted] discrepancies or [redacted] in excess of [redacted] and less than or equal to [redacted] per report.

A referral to ADRO may be made if a committee does not respond or inadequately responds to an RFAI regarding [redacted] discrepancies or [redacted] in excess of [redacted] per report and the matter has been subject to the OGC Review and Concurrence Process.

A referral to ADRO may be made if an Authorized Committee does not respond or inadequately responds to an RFAI regarding [redacted] discrepancies in excess of [redacted] per report on [redacted] in an election cycle and the matter has been subject to the OGC Review and Concurrence Process.

Referral to OGC:

Referrals will be handled by OGC for the apparent violations noted above in "Referral to ADRO" when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC. This includes discrepancies exceeding [redacted] per report between the [redacted], as well as [redacted] exceeding [redacted].

Consultation with OGC will occur for situations where a report(s) indicates [redacted], in accordance with Standard 30.

There will be no referrals made to OGC under this Standard for Title 26 Committees.

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SENSITIVE

Standard 7: Failure to Provide Supporting Schedules

Notices Sent:

General

An RFAI will be sent for failure to provide supporting schedules if a report has any of the following problems:

- Omitted Summary and/or Detailed Summary Page;

- Omitted or insufficient supporting schedules for contributions from persons requiring itemization, and those items which require disclosure regardless of amount (see below)[20] if the omission is in excess of [redacted];

  (Unauthorized Committees - Lines 9, 10, 11(a)(i), 11(b), 11(c), 12, 13, 14, 16, 22, 23, 24, 25, 26, 27, 28(b) and 28(c))

  (Authorized Committees - Lines 11(a)(i), 11(b), 11(c), 11(d), 12, 13(a), 13(b), 18, 19(a), 19(b), 20(b), and 20(c) of Form 3; or Lines 16, 17(b), 17(c), 18, 19(a), 19(b), 24, 27(a), 27(b), 28(b), and 28(c) of Form 3P)

- A negative ending cash-on-hand amount in excess of [redacted] on Line 8 of FEC Form 3 and Form 3X or Line 10 for FEC Form 3P. This will be considered a missing Schedule D unless the subsequent report reveals a positive ending cash-on-hand balance. However, the analyst will not wait for the receipt of the next report to send a notice;

- An amendment(s) is filed more than [redacted] business[21] days after the filing date of the original report (whether in response to an RFAI or voluntarily), disclosing additional financial activity of at least [redacted] of the receipts or expenditures or debts, whichever is appropriate, and in excess of [redacted] (this does not apply to an amendment(s) filed prior

[20] While Line 24 for Unauthorized Committees does not require disclosure regardless of amount, for 24/48 hour report tracking purposes, it will be included in this threshold. In addition, while Line 11(d) for Authorized Committees does not require disclosure regardless of amount, for 48-Hour Notice tracking purposes, it will be included in this threshold.

[21] Saturday, Sunday and Holidays are not business days for purposes of this review standard.

to the due date of the original report);

- An illegible Schedule(s) when the activity amount on the Schedule exceeds [redacted];

- An amendment filed more than [redacted] business days after the filing date of the original report (whether in response to an RFAI or voluntarily), disclosing a decrease in activity of at least [redacted] of the receipts <u>or</u> expenditures <u>or</u> debts, whichever is appropriate, and the deleted activity exceeds [redacted] and an adequate explanation has not been provided;

- Offsets to operating expenditures disclosed on Schedule A that aggregate in excess of [redacted] with no prior disclosure of a disbursement on Schedule B (or E, F, H4 or H6 for Unauthorized Committees).

- An RFAI will be sent for omission of a new bank depository when a report discloses a receipt of interest, regardless of the amount, from a bank which has never been disclosed as a depository on the Statement of Organization.

<u>Unauthorized Committees</u>

- Omitted supporting schedules for items requiring disclosure above the $200 threshold (i.e., Lines 15, 17, 21b, 28(a) and 29) if the amount on Column A of the Detailed Summary Page for the respective line(s) exceeds [redacted];

- Unitemized receipts in excess of [redacted] disclosed on Line 11(a)(ii), Column A of the Detailed Summary Page, when there are no itemized receipts disclosed on Line 11(a)(i). If a response to this issue results in the itemization of receipts on Schedule A, it will be considered a missing schedule and the amount will be aggregated towards the in excess of [redacted] threshold for point assessment purposes;

- A 24 and/or 48-Hour Report is not filed, or is not timely filed and the amount is in excess of [redacted];

- A Form 1M has not been filed to certify that the criteria for multicandidate committee status have been satisfied;

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SENSITIVE

- A lump sum amount disclosed on Schedule A as "unitemized" that exceeds [redacted] and adequate clarification has not been provided.

Authorized Committees

- The amount of contributions not reported on 48-Hour Notices exceeds $1,000.

- When a 48-Hour Notice is filed and the contribution(s) in excess of $1,000 are not disclosed on Schedule A.

- A Form 3Z was not filed with a report filed by a principal campaign committee which has other authorized committees accepting contributions or making disbursements in relation to the current election cycle and the estimated missing activity exceeds [redacted].

- When a committee discloses an amount in excess of [redacted] on Lines 14, 15, 17, 20(a), or 21 of Form 3; or Lines 17(a), 20(d), 21, 23, 25, 26, 28(a) or 29 of Form 3P and a supporting schedule is not provided.

- On Form 3, when a committee discloses an amount in excess of [redacted] on Line 11(a)(ii) and there are no supporting schedules for Line 11(a)(i).

- On Form 3, an RFAI will be sent if the amount of unitemized contributions on Line 11(a)(ii) is both 1) greater than the total amount of itemized contributions on Line 11(a)(i) (or the sum of Line 11(a)(i) and the total of individual contributions itemized on Schedule A supporting Line 12, if the latter are disclosed) by more than [redacted], and 2) at least [redacted] the total of Line 11(a)(i) (or the sum of Line 11(a)(i) and the total of individual contributions itemized on Schedule A supporting Line 12, if the latter are disclosed).

- On Form 3P, an RFAI will be sent if the amount of unitemized contributions on Line 17(a)(ii) is both 1) greater than the total amount of itemized contributions on Line 17(a)(i) by more than [redacted], and 2) at least [redacted] the total of Line 17(a)(i).

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- A lump sum amount disclosed on Schedule A as "unitemized" that exceeds [redacted] and adequate clarification has not been provided.

- For Title 26 Presidential Primary Committees Only
  a. An omitted Page 3 of Form 3P (Allocation of Primary Expenditures by State for a Presidential Candidate)
  b. Failure to continually report contributed items on hand to be liquidated (e.g. artworks, stocks, & bonds) or failure to report the liquidation transaction when the amount involved exceeds [redacted].

All Committees (Informational Paragraphs)

An informational paragraph under this Standard (as described below) will only be sent in cases where an RFAI is being sent on the same report.

An informational paragraph will be sent if the committee does not provide separate schedules, when necessary, for each line of the Detailed Summary Page.

It will not be considered a missing schedule if the committee disclosed activity on the appropriate Schedule and the figure is entered on the wrong line of the Summary or Detailed Summary Page. Instead, an informational paragraph will be sent (see Standard 10 for exception for Unauthorized Committees).

Applying this Standard:

General

If a line item on the Summary or Detailed Summary Page is more than the amount disclosed on the supporting schedule, the committee will be subject to the thresholds for missing schedules. This rule does not apply to Lines 15, 17, 21(b), 28(a) and 29 for Unauthorized Committees or Lines 14, 15, 17, 20(a), or 21 of Form 3 and Lines 17(a), 20(d), 21, 23, 25, 26, 28(a) or 29 of Form 3P for Authorized Committees.

Beginning Cash-on-Hand, First Report

It will be considered a missing schedule if the committee reports a beginning cash balance on its initial filing and has not supplied the schedule(s) or an explanatory statement to support that

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amount.

Debts and Loans

If a committee reports a new debt with an outstanding beginning balance greater than $500 (see 11 CFR 104.11(b)), it will be considered a missing Schedule D and subject to the Line 9 and 10 thresholds for missing schedules. (Therefore, the beginning balance would have to be in excess of [redacted] in order to meet the RFAI threshold).

If a debt or loan is not reported continuously from one report to the next, (i.e., the debt is not itemized on a supporting schedule and the amount of the debt is excluded from Lines 9 or 10), it will be considered a missing schedule.

Loan and/or debt ending and beginning balance discrepancies between reports will be considered a missing schedule and subject to the thresholds for this Standard.

If a loan or debt is paid in full on a disbursement schedule, the committee is not required to disclose the dissolution of that obligation on Schedule C or D. However, if an outstanding debt or loan is omitted from a report, but appears on a subsequent report, [redacted] will be sent if there is no change in the status of the debt or loan. The analyst will not wait for the receipt of the subsequent report to send a notice.

The dissolution of a loan does not need to be disclosed on Schedule C when the committee sends a letter stating the loan was forgiven.

It will not be considered a missing Schedule D if the committee states that a creditor has gone bankrupt, or has moved and cannot be reached.

If a committee discloses a debt with a negative incurred balance and does not provide an explanation for the apparent credit, the amount of the negative incurred balance will be considered a missing schedule.

Debt and loan payments reflected on Schedules C and/or D that are omitted or partially disclosed on disbursement schedules will be subject to the thresholds for missing schedules.

An omitted Schedule C-1 and/or loan agreement will be subject to Standard 16.

In-Kind Contributions

Notification will be sent if an in-kind contribution is reported on Schedule A, but is not reflected on Schedule B, or vice versa, subject to the thresholds for a notice. The amount of the in-kind contributions must be included in both the receipt and disbursement totals. The committee will be subject to the threshold for Mathematical Discrepancies (Standard 6) if the amounts are not in both totals.

Staff Advances/Reimbursements on Schedule D

Travel or non-travel staff advances/reimbursements to individuals on Schedule D in excess of [redacted] and with no corresponding memo entry on Schedule A showing the staff advance will be considered a missing Schedule A.

Increase/Decrease in Debt Activity

Please note that debts can be estimated by committees and the reports later amended with the exact figures if they do not have all the information at the time of the filing. A response that states the original debt amounts were estimates since the invoices/bills had not been received would be considered adequate.

Transfers from a Joint Fundraising Committee

The assessment of the joint fundraising activity noted below will be made based on a [redacted] period. For both Quarterly and Monthly filers, this will be calculated based on the combined activity (transfers and memos) of all reports filed within each [redacted] and the assessment will be made when reviewing the [redacted] Report for Unauthorized committees (for both the non-election year and the election year), and for Authorized committees, when reviewing the [redacted] Report for the non-election year and the [redacted] Report for the election year.

Notification will be sent if transfers from a joint fundraising committee are reported on Schedule A, but no memo Schedule A is provided or insufficient memo Schedules A are provided to disclose the original contributors to the fundraiser, subject to the thresholds for missing

schedules.

Notification will also be sent if memo Schedules A are provided to disclose the original contributors to the joint fundraiser, but no transfer-in from the joint fundraising committee is disclosed on Schedule A.

Disgorged Contributions

If Schedule B of a committee's report has an entry for the disgorgement of contributions to the U.S. Treasury, but no memo entries itemizing the disgorged contributions are disclosed, it will be considered a missing Schedule B.

Unauthorized Committees

Aggregate year-to-date totals:

Aggregate year-to-date totals are subject to the thresholds for missing schedules in cases where the aggregate totals are greater than the itemized entries.

Earmarked contributions

Notification will be sent if an earmarked contribution is reported on Schedule A, but is not reflected on Schedule B, or vice versa, subject to the thresholds for missing schedules.

Earmarked contributions for authorized committees, regardless of amount, forwarded more than 10 days after receipt, will be handled under Standard 5.

Payroll Deductions

It will be considered a missing Schedule A if a committee does not report the total amount deducted for the reporting period when using a payroll deduction method, subject to the thresholds for missing schedules.

All other missing information pertaining to payroll deductions will be handled under Standard 8.

Independent Expenditures: 24 and 48-Hour Notices/Schedule E[22]

[22] Independent Expenditures Reporting Problems by Persons Other Than Political Committees are handled under Standard 18.

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When reviewing committees making independent expenditures, the analyst will verify that "24 and 48-Hour Reports" were filed with the Commission in a timely manner.

24-Hour Reports must be filed when independent expenditures aggregating $1,000 or more are made with respect to a given election, during the period less than 20 days, but more than 24 hours before the day of an election. The report must be received by the Commission by 11:59 p.m. on the day following the date on which independent expenditures aggregate $1,000 or more in accordance with 11 CFR §104.4 (c) and (f).

48-Hour Reports must be filed when independent expenditures aggregating $10,000 or more are made with respect to a given election any time during the calendar year up to and including the 20th day before an election. The report must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures aggregate $10,000 or more Independent Expenditures that are made (disseminated or distributed) in one reporting period and paid for in a subsequent reporting period, must be disclosed as memo entries on Schedule E with a corresponding Schedule D, if a reportable debt under 11 CFR §104.11. Subsequently, when payment is made, it must be disclosed on Schedule E and Schedule D in the appropriate reporting period.

Additionally, 24 and 48-Hour Reports filed by a committee will be checked against the next report to determine if the expenditures have been included on Schedule E supporting Line 24 of the Detailed Summary Page.

For referral purposes, 24 and 48-Hour Reports must be received [redacted] (the Report must be date stamped by the Commission by [redacted]) to be considered "filed" under this Standard.

Omitted Schedules for Federal Election Activity will be handled under Standard 12.

Omitted schedules for Allocated Federal and Non-Federal activity will be handled under Standard 13.

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Authorized Committees

Aggregate Election Cycle-to-Date Totals:

Aggregate election cycle-to-date figures are subject to the criteria for missing schedules in cases where the aggregate totals are greater than the itemized entries.

Failure to Provide Form 3Z:

Form 3Z is required only for committees authorized for the same election(s) for which the principal campaign committee is required to file reports. A principal campaign committee of the same candidate from a previous election that is still filing reports is not considered an authorized committee for this Standard.

Candidate Contributions and Loans:

It will be considered a missing schedule if the committee does not provide a Schedule A for contributions or loans from the candidate.

Candidate loans from personal funds that are combined into a single figure will not be counted as a missing schedule as long as the loan terms for the personal funds loans are the same.

Conversion of Candidate Contributions to Candidate Loans:

If a committee discloses the conversion of a candidate contribution to a candidate loan, this discrepancy will be subject to thresholds for missing schedules. An RFAI will be sent to the committee asking for clarification concerning the conversion and the loan. The Branch Chief will coordinate with OGC for further guidance and for further recommendations prior to any referrals. A maximum of [redacted] may be assessed per loan.

Earmarked Contributions through a Conduit:

If a committee does not disclose the original contributor information for an earmarked contribution received through a conduit, or fails to disclose information regarding the conduit, the discrepancy will be subject to the thresholds for missing schedules.

Transfers from Other Authorized Committees:

Transfers from other authorized committees of a candidate that do not include required memo entries will be reviewed under Standard 7.

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48-Hour Notifications of Last Minute Contributions of $1,000 or more:

Schedule(s) A of the first report required to be filed after an election will be checked to see if any contributions (including loan guarantees, guarantees of draws on a line of credit and earmarked contributions) of $1,000 or more were received from the close of books for the 12 Day Pre-Election Report up to 48 hours prior to the election. If any contributions of this amount were received, a check will be made to see if "48-Hour Notices" were timely filed with the Commission (or the Secretary of the Senate's Office). Conversely, "48-Hour Notices" filed by a committee will be checked against the post-election report to determine if the contributions have been included as required. It will be considered a missing Schedule A in cases where a 48-Hour Notice is filed and the contribution is not included on Schedule A of any of the committee's reports. 48-Hour Notices must be received [redacted] (the Notice must be date stamped by the Senate or Commission by [redacted] [redacted][23]) to be considered timely "filed" under this standard. In cases where a date of receipt differs between a 48-Hour Notice and Schedule A, no notice will be sent if the contributor and amount of the contribution are the same.

The transfer amount (appearing on line 12 (Form 3) or line 18 (Form 3P) from a joint fundraising committee to a PCC is not considered a contribution and does not require 48-Hour Notices.

However, contributions of $1,000 or more made to a joint fundraising committee during the 48-Hour Notice period do require 48-Hour Notices. Thus, memo schedule(s), from a joint fundraiser, supporting transfers that occur only during the 48-Hour Notice period will be checked for contributions of $1,000 or more. Transfers that occur after the 48-Hour Notice period will not be checked for potential 48-Hour Notice violations.

In reviewing reports for failure to file 48-Hour Notices, contributions received via a conduit will be treated the same as contributions received through a joint fundraising committee. Thus, no violation will occur if the contributions of $1,000 or more received by the conduit (within the 48-Hour Notice period) are passed on by the conduit outside the 48-Hour period, and no Form 6's were received for those contributions.

[23] A 48-Hour Notice will be considered timely filed if there is proof such as a fax machine date/time stamp.

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Violations will be considered for potential referral only if the following three conditions are met:

- no 48-Hour Notice is filed
- the [redacted] the 48-Hour Notice period
- the [redacted] the 48-Hour Notice period.

The 48-Hour Notice filing requirement with regard to partnerships applies only to contributions of $1,000 or more made from partnerships and not from each partner's attribution of that contribution.

The 48-Hour Notices filing requirement does not apply to presidential committees filing on a monthly schedule that are participating in primary elections.

***Assessment of Audit Points*:**

[redacted], will be assessed if the Committee does not respond or responds inadequately to an RFAI.

For assessment purposes, points will be assigned on a [redacted] basis [redacted].

Also, if an RFAI is sent to a committee concerning a loan, a maximum of [redacted] will be assessed per loan. This procedure applies when there is both a missing schedule and missing terms in regards to the same loan. This rule does not apply to loans where there is both a missing schedule and a missing source. [redacted] can be assessed for a missing source under Standard 16, Failure to Properly Itemize Loans.

If a committee does not respond to a notice under this Standard to amend earlier reports by itemizing debts or loans, [redacted] will be assessed on a subsequent report per [redacted] for authorized committees [redacted].

If a loan or debt is dropped (not included in line total), [redacted] will be assessed on the first report filed on which the obligation should have been reported. Subsequent reports will not be [redacted]

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[redacted].

A committee that files an amendment(s) to a report more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), which discloses an increase or a decrease in financial activity of at least [redacted] of the receipts or expenditures or debts, whichever is appropriate, and is in excess of [redacted], will be assessed [redacted] for the reporting period. A committee can receive [redacted]. Amendments filed prior to the due date of the original report are not subject to this provision. Receipts, disbursements and debts should be assessed separately for the reporting period (not combined).

[redacted] will be assessed when a report discloses a receipt of interest from a bank which has not been disclosed as a depository on the Statement of Organization.

Unauthorized Committees

A committee will be assessed [redacted], per reporting period, for failure to timely file "24 and 48-Hour Reports" where the dollar amount exceeds [redacted].

Authorized Committees

[redacted] (primary, general, runoff) will be assessed if a committee does not file "48-Hour Notices" where the dollar amount exceeds [redacted].

[redacted] will be assessed if a Committee does not respond or responds inadequately to an RFAI sent for omitted activity resulting from a receipt/disbursement comparison between candidate receipts and PAC disbursements.

***Referral to ADRO*:**

Omitted Schedules (Not Including Increased/Decreased Activity on an Amended Report)

Except as otherwise provided, a referral to ADRO will be made when a committee does not respond or inadequately responds to an RFAI and the total of all omitted schedules exceeds [redacted] and is less than or equal to [redacted] per report.

A referral to ADRO may be made if the total of all omitted schedules exceeds [redacted] and the

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matter has been subject to the OGC Review and Concurrence Process.

Missing or Late 24 and 48 Hour Reports

For purposes of calculating the threshold for referral, only independent expenditure amounts for which 24 and 48 Hour Reports have not been filed or have been filed [redacted]. In addition, independent expenditure amounts for which a 48-Hour Report was filed more than [redacted] days after the date the independent expenditure was made will also be included.

A referral to ADRO will be made when 24 and 48 Hour Reports have not been filed or have been filed [redacted] and;

- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted] and is less than or equal to [redacted].
- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted] and is less than or equal to [redacted].

A referral to ADRO may be made if the independent expenditures that were [redacted] exceed [redacted], or if the independent expenditures that were [redacted] exceed [redacted], and the matter has been subject to the OGC Review and Concurrence Process.

Increased/Decreased[24] Activity on an Amended Report

[24] A decrease in activity will only be referred when a response providing an adequate explanation has not been received.

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A referral will be made to ADRO if a committee files an amendment(s) more than [redacted] business days after the filing date of the original report (or after the report due date, whichever is latest), which discloses an increase or decrease in receipts or disbursements or debts of [redacted] or more and:

- For Election sensitive reports, is in excess of [redacted] and less than or equal to [redacted] (includes October Quarterly, October Monthly and Pre-election reports for primary, general, runoff and special elections).
- For Non-election sensitive reports, is in excess of [redacted] and less than or equal to [redacted].

A referral may also be made to ADRO if the increase or decrease in activity is [redacted] or more and is in excess of [redacted] for election sensitive reports, and in excess of [redacted] for non-election sensitive reports, and the matter has been subject to the OGC Review and Concurrence Process.

General

For ADRO or OGC purposes, if a subsequent amendment reduces the amount of the apparent violation, and it is below the threshold, no referral will be made.

***Referral to OGC*:**

Omitted Schedules (Not Including Increased/Decreased Activity on an Amended Report)

Except as otherwise provided, a referral to OGC will be made when a committee does not respond or inadequately responds to an RFAI and the total of all omitted schedules exceeds [redacted] per report and when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

Missing or Late 24 and 48 Hour Reports

For purposes of calculating the threshold for referral, only independent expenditures amounts for which 24 and 48 Hour Reports have not been filed or have been filed [redacted]. In addition, independent expenditure amounts for which a 48-Hour Report was filed more than [redacted] days after the date the independent expenditure was made will also be included.

A referral to OGC will be made when 24 and 48 Hour Reports have not been filed or have been filed [redacted] when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC and:

- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted].
- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted].

Increased/Decreased[25] Activity on an Amended Report

A referral will be made to OGC if a committee files an amendment(s) more than [redacted] business days after the filing date of the original report, which discloses an increase or decrease in receipts or disbursements or debts of [redacted] or more and, for election sensitive reports, is in excess of [redacted] and for non-election sensitive reports, is in excess of [redacted], when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

General

Consultation with OGC will occur for situations where a report(s) indicates an unauthorized or otherwise irregular receipt or disbursement of committee funds has occurred, in accordance with Standard 30.

There will be no referrals made to OGC under this Standard for Title 26 Committees.

For ADRO or OGC purposes, if a subsequent amendment reduces the amount of the apparent violation, and it is below the threshold, no referral will be made.

[25] A decrease in activity will only be referred when a response providing an adequate explanation has not been received.

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SENSITIVE

Authorized Committees

Failure to File 48-Hour Notices of Last Minute Contributions of $1,000 or More

A committee which supports a candidate will be handled by the Administrative Fine Program for failure to file the required 48-Hour Notices in cases where the dollar amount is in excess of [redacted] for the two-year election cycle[26], including candidate contributions, candidate loans from personal funds, and candidate loan guarantees.

The above are the only thresholds applicable to missing 48-Hour Notices. The Administrative Fine Program threshold of [redacted] applicable to late and non-filed reports does not apply to 48-Hour Notice violations.

A committee that files all of its required 48-Hour Notices [redacted] may, after consultation with the Assistant Staff Director of RAD, be referred to OGC.

When committees that are required to file reports electronically, file 48-Hour Notices via fax, the notices will be considered not filed.

[26] Missing notices for the Primary, General and any Special elections will be aggregated together in making a determination for a referral. For Primary election [redacted], a referral assessment will be made after the [redacted].

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SENSITIVE

Standard 8: Failure to Properly Itemize Contributions from Individuals

***Notices Sent*:**

General

An RFAI will be sent for failure to properly disclose the name, address, date, amount of contribution, aggregate total, partnership, sole proprietorship and/or LLC (Limited Liability Companies) attribution[27] (when necessary), occupation and name of employer for [redacted], but not less than [redacted] per report.

A joint contribution (i.e., one transaction from "John and Mary Smith") will count as [redacted] toward the RFAI threshold if, when the contribution's aggregate is split 50/50 between the two people, the resulting contributions would require itemization.

An informational paragraph under this Standard will only be sent in cases where an RFAI is being sent on the same report.

An informational paragraph will be sent if the error or omission rate increases by more than [redacted] from the percentage best efforts was previously established at.

An informational paragraph will be sent requesting the attribution of the contribution to each contributing partner when partnership, sole proprietorship and/or LLC contributions total in excess of [redacted] and no attributions are provided.

Unauthorized Committees

An informational paragraph will also be sent if a report does not properly itemize contributions received through a payroll deduction plan pursuant to 11 CFR §104.8 (i.e., failure to provide the amount deducted per pay period or the frequency of the deduction), or does not use the appropriate reporting method for earmarked contributions pursuant to 11 CFR §110.6. If the schedules total less than the required amount for such contributions, it will be treated as a missing schedule under Standard 7.

[27] See Standard 5 regarding treatment of LLC contributions.

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SENSITIVE

Authorized Committees

An informational paragraph will be sent to a committee that does not provide the election designation for contributions from individuals when a minimum of [redacted] are missing an election designation. Commission Regulations provide the procedure for determining the election to which a contribution should be attributed (11 CFR §110.1(b)(2)(ii)).

Applying this Standard

General

Initials are not considered adequate disclosure for the name of an individual.

Job titles of a general nature, such as "executive" and "businessman" will be acceptable for reports filed by all committees provided that the name of employer has been disclosed. If the Committee does not disclose a contributor's employer, the following entries for occupation would be adequate (these examples are not all inclusive) – "retired," "student," "farmer," "homemaker," "housewife," "volunteer," "unemployed," "entrepreneur," "philanthropist," "disabled" and clergy positions. All other entries should have an employer and occupation filled in. Employer/Occupation entries such as "self/doctor," "self/attorney," "self/consultant," and "name of company/owner or self" will also be acceptable (see chart for examples of unacceptable entries – this is a working list and is not all inclusive).

SORTED BY EMPLOYER

Employer	Occupation
(Blank or Filled In)	Employee
(Blank or Filled In)	Staff
(Blank or Filled In)	Worker
(Blank)	(Blank)
(Blank)	Best Efforts
(Blank)	Information Requested
(Blank)	Consultant
(Blank)	Contractor
(Blank)	Info Requested
(Blank)	Self Employed
(Blank)	Businessman
(Blank)	Businesswoman
(Blank)	Businessperson
(Blank)	Small Business Owner
(Blank)	None
(Blank)	Investor
(Blank)	N/A
(Blank)*	(Filled In)

SORTED BY OCCUPATION

Employer	Occupation
Businessman	(Blank or Filled In)
Businessperson	(Blank or Filled In)
Businesswoman	(Blank or Filled In)
Employee	(Blank or Filled In)
Staff	(Blank or Filled In)
Worker	(Blank or Filled In)
(Blank)	(Blank)
(Filled In)*	(Blank)
Best Efforts	(Blank)
Info Requested	(Blank)
Information Requested	(Blank)
Investor	(Blank)
N/A	(Blank)
None	(Blank)
Self-Employed	(Blank)
Small Business Owner	(Blank)
(Blank)*	(Filled In)
Self	Administration

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SORTED BY EMPLOYER	
(Filled In)*	(Blank)
Best Efforts	Best Efforts
Best Efforts	(Blank)
Businessman	(Blank or Filled In)
Businessperson	(Blank or Filled In)
Businesswoman	(Blank or Filled In)
CEO	Self
Chairman	Self
Employee	(Blank or Filled In)
(Employer's Name)	Chapter Employee
Executive	Self
Info Requested	Info Requested
Info Requested	(Blank)
Information Requested	Information Requested
Information Requested	(Blank)
N/A	N/A
N/A	(Blank)
None	None
None	(Blank)
Owner	Self
President	Self
Self	Administration
Self	CEO
Self	Chairman
Self	Executive
Self	Management
Self	Owner
Self	President
Self	Small Business Owner
Self-Employed	Self-Employed
Self-Employed	(Blank)
Small Business Owner	(Blank)
Small Business Owner	Self
Staff	(Blank or Filled In)
Worker	(Blank or Filled In)

SORTED BY OCCUPATION	
(Blank)	Best Efforts
Best Efforts	Best Efforts
(Blank)	Businessman
(Blank)	Businessperson
(Blank)	Businesswoman
Self	CEO
Self	Chairman
(Employer's Name)	Chapter Employee
(Blank)	Consultant
(Blank)	Contractor
(Blank or Filled In)	Employee
Self	Executive
(Blank)	Info Requested
Info Requested	Info Requested
(Blank)	Information Requested
Information Requested	Information Requested
Self	Management
(Blank)	N/A
N/A	N/A
(Blank)	None
None	None
Self	Owner
Self	President
CEO	Self
Chairman	Self
Executive	Self
Owner	Self
President	Self
Small Business Owner	Self
(Blank)	Self-Employed
Self-Employed	Self-Employed
(Blank)	Small Business Owner
Self	Small Business Owner
(Blank or Filled In)	Staff
(Blank or Filled In)	Worker

*** Except when E/O is Student, Volunteer, Homemaker, Housewife, Retired, Unemployed, Farmer, Entrepreneur, Philanthropist, Clergy or Disabled.**

In determining the adequacy of a contributor's address, the following must be supplied:

- The street address, PO Box, or Rural Route #
- The city, state, and zip code.

Committees should not be cited for transposing the fields (i.e., listing the employer name in the occupation field and the occupation in the employer name field).

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An abbreviation or acronym for the name of an employer is acceptable if the business/organization is registered that way with the Corporate Division for the State, or if the name is a commonly used/recognized abbreviation of the name.

The percentage of inadequate entries will be calculated based on the total entries for contributions from individuals, Indian Tribes, partnerships, sole proprietorships, LLCs and individual contribution memo entries (i.e., joint fundraising receipts, reattributions and redesignations), deposited and undeposited earmarked contributions (Unauthorized Committees) and earmarked contributions through a conduit (Authorized Committees). Only those contributions that require itemization will be counted toward this threshold.

Any contribution without an aggregate amount shall be included in the calculation of inadequate entries (with the exception of earmarked contributions), unless the report specifically states that contributions below the $200 threshold have been disclosed.

For in-kind contributions that aggregate in excess of the $200 disclosure threshold, the Schedule A and Schedule B entries for the transaction must be itemized completely on both schedules.

An entry of "see above," "see previous," or ditto marks (") will <u>not</u> be accepted as an adequate entry.

[redacted]

<u>Unauthorized Committees</u>

Disclosure of earmarked contributions is required regardless of amount (i.e. name, mailing address, date received/forwarded, etc. - see 11 CFR §110.6(c)(iv)); however, the occupation and name of employer information is only required for each earmarked contribution that exceeds $200 and an aggregate year-to-date total is not required.

Failure to provide aggregate year-to-date totals on the first report filed in a calendar year will not be counted toward this threshold, as long as the report has no unitemized contributions appearing on Line 11(a)(ii).

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SENSITIVE

Authorized Committees

For new committees, failure to provide election cycle-to-date totals on the first report filed in an election cycle will not be counted toward this threshold.

Contributions from the candidate will not be counted toward this threshold.

Best Efforts Documentation (all committees)

No action will be taken if a committee establishes "Best Efforts" as defined in 11 CFR §104.7, for obtaining the required disclosure information. The committee must provide the Commission with a description of its procedures for requesting the required information and may also supply a copy of a solicitation. At a minimum, establishment of best efforts must consist of the following three parts in order to be considered adequate:

a. The committee must request the contributor information in initial solicitations (whether via letter, e-mail, in person or telephone). Each request for the information must include a clear and conspicuous request for the information and must inform the contributor of the requirements of federal law for the reporting of such information.

b. If the committee receives a contribution that exceeds the $200 threshold but lacks the required contributor information, the committee must attempt an additional stand alone letter, e-mail, oral request or telephone call for the information no later than 30 days after the receipt of the contribution. This second request must also:

- be documented in writing for oral requests or phone calls (to include date of request);
- clearly ask for the missing information without soliciting another contribution;
- inform the contributor of the requirements of federal law for the reporting of such information; and
- supply a pre-addressed post card or envelope if the request is sent by mail. Reference to any type of envelope (self addressed, postage paid, self stamped,

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enclosed, return, or business reply) will also be acceptable.

c. When the Committee subsequently receives this information, the committee either:

1) files an amended "memo" Schedule A with the next regularly scheduled report listing all contributions for which additional information was received; or

2) files an amendment to the report(s) originally disclosing the contributions on or before the next regularly scheduled reporting date.

Best Efforts documentation will be acceptable for entries with missing and/or inadequate occupations, names of employers and mailing addresses of contributors, but will not be acceptable for entries with missing and/or inadequate aggregate year-to-date totals, dates of receipt and/or amounts of receipt.

Once a treasurer establishes that best efforts are being made to obtain the required information (contributor name, address, occupation and name of employer), no action will be taken on future reports covering the same election cycle unless the error or omission rate for this information increases more than [redacted] from the percentage amount on the report in which best efforts was established. In cases where this increase occurs, an informational paragraph will be sent to the committee. Best Efforts must be re-confirmed for each election cycle.

***Assessment of Audit Points*:**

General

A committee will be assessed [redacted] per reporting period if it does not respond or inadequately responds to an RFAI for [redacted] but not less than [redacted] missing or having inadequate information per reporting period.

A committee will be assessed [redacted] if it does not respond or responds inadequately to an RFAI for [redacted] but not less than [redacted] missing or having inadequate information per reporting period. [redacted] will be assessed if the missing or inadequate information totals [redacted] but not less than [redacted] per reporting period.

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[redacted] assessed for a report filed prior to the establishment of Best Efforts if a committee indicates that it was carrying out Best Efforts procedures during the entire period covered by the report.

If a committee establishes that Best Efforts have been made to obtain the necessary information (contributor name, address, occupation and name of employer), [redacted] under this Standard will be assessed on future reports during the election cycle, except possibly on the 2016 Year End Report for Unauthorized Committees and the 30 Day Post-General Report for Authorized Committees (see below). However, [redacted] will be assessed per report for entries missing aggregate year-to-date totals (Unauthorized Committees), missing election cycle-to-date amounts (Authorized Committees), missing dates of receipt and/or amounts of receipt since the "Best Efforts" documentation does not apply to this information.

[redacted] will be assessed if a committee that established best efforts are being made still has a large percentage of the individual contributions lacking the adequate contributor information at the end of the election cycle. A committee will be assessed [redacted] for failing to correct [redacted] or more of the entries for the full election cycle (regardless of whether an RFAI has been sent) for Unauthorized Committees or for Authorized Committees, through the [redacted] Report for committees supporting candidates in the general election and through the [redacted] Report for committees supporting losing candidates in the primary election.

***Referral to ADRO*:**

General

A committee will be referred to ADRO if it meets both of the following criteria:

- The committee failed to correct the itemization information for entries that total [redacted] in number for the [redacted], and
- The committee failed to correct the itemization information for [redacted] or more of the total entries requiring itemization for the [redacted].

All inadequate entries [redacted].

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SENSITIVE

If a committee has established "Best Efforts," the above referral thresholds will apply only if there are missing aggregate year-to-date/election cycle-to-date totals, dates of receipt, and/or amounts of receipt.

Authorized Committees

The referral will consider the election cycle to date activity as of the closing date for the [redacted] Report for committees supporting candidates in the general election and as of the closing date for the [redacted] Report for committees supporting candidates that lost in the Primary. The periods considered will be adjusted accordingly if the candidates are involved in a runoff for either the primary or general elections.

There will be no referral made to ADR under this Standard for Title 26 committees.

***Referral to OGC*:**

General

A committee will be referred to OGC in lieu of ADRO if it meets the following criteria:

- The committee failed to correct the itemization information for entries that total [redacted] or more in number for the [redacted], and
- The committee failed to correct the itemization information for [redacted] or more of the total entries requiring itemization for the [redacted].

All inadequate entries for the election cycle will be included in this count provided at least one RFAI was sent during the election cycle.

For purposes of this Standard, "fails to correct" means that the committee does not respond, merely responds that "best efforts" have been made but provides no description of the committee's procedures for requesting the required information, provides an adequate description of the committee's procedures for requesting the required information, but does not actually amend its reports with updated information or provides some other inadequate response.

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SENSITIVE

Prior to making a referral, the analyst will call the committee to ask for confirmation that reports are being amended as contributor information is received. A statement filed by the committee confirming that missing contributor information has been requested, but has not been provided by the contributors, [redacted].

If a committee has established "Best Efforts," these referral thresholds will apply only if there are missing aggregate year-to-date/election cycle-to-date totals, dates of receipt, and/or amounts of receipt.

Authorized Committees

The referral will consider the election cycle to date activity as of the closing date for the [redacted] Report for committees supporting candidates in the general election and as of the closing date for the [redacted] Report for committees supporting candidates that lost in the Primary. The periods considered will be adjusted accordingly if the candidates are involved in a runoff for either the primary or general elections.

There will be no referrals made to OGC under this Standard for Title 26 Committees.

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SENSITIVE

Standard 9: Failure to Properly Itemize Contributions and Transfers from Political Committees

Notices Sent:

General

An RFAI will be sent if a report does not properly itemize contributions and transfers received for [redacted] percent but not less than [redacted] contributions from political party committees and other political committees.

An RFAI will be sent if a report does not properly itemize contributions and transfers received that total in excess of [redacted].

An informational paragraph will be sent when it appears an incorrect committee ID has been used for contributions received from other political committees.

An informational paragraph under this Standard will only be sent in cases where an RFAI is being sent on the same report.

Authorized Committees

An informational paragraph will be sent to a committee which does not provide the election designation for contributions from political party committees and other political committees when a minimum of [redacted] entries are missing an election designation. Commission Regulations provide the procedure for determining the election to which a contribution should be allocated (11 CFR §110.2(b)(2)(ii)).

Applying This Standard:

Contributions and transfers received on Schedule A must include:

- The committee's complete name (must include PAC, COPE, etc.) unless an FEC Committee ID number is provided;
- Address (see below);
- Date of receipt;
- Amount; and

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SENSITIVE

- The aggregate total (election cycle-to-date for authorized committees and year-to-date for unauthorized committees with the exception of affiliated committees).

Contributions received from political party committees and other political committees and reported incorrectly on Schedule A for other lines will be included under this Standard.

In determining the adequacy of a contributor's address, both of the following items must be supplied:

- The street address, PO Box, or Rural Route #
- The city, state, and zip code

An entry of "see above," "see previous," or ditto marks (") will not be accepted as an adequate entry.

Unauthorized Committees

No notice will be sent for failure to provide aggregate year-to-date totals on the first report filed during a calendar year.

Receipts from Federal Candidates

Receipts from Federal Candidates will be subject to the thresholds for a notice under this Standard. Receipts from Federal candidate committees by any national party committee or federally registered state/local party committee where a purpose has not been provided will be included, with the exception of receipts disclosed on Line 11(c) (Contributions from other political committees). In addition, no notice will be sent if receipts from a federal candidate committee by any national party committee or federally registered state/ local party committee are identified as "transfer", "transfer of excess funds," "excess funds," "excess transfer," "excess campaign funds" or "contribution" on Schedule A.

For new Authorized Committees, no notice will be sent for failure to provide aggregate election cycle-to-date totals on the first report filed.

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Assessment of Audit Points:

[redacted] per reporting period will be assessed if a committee does not respond or responds inadequately to an RFAI.

Referral to ADRO:

[redacted].

Referral to OGC:

[redacted].

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SENSITIVE

Standard 10: Failure to Properly Itemize Contributions and Transfers to Political Committees

(This Standard does not apply to Title 26 Authorized Committees)

Notices Sent:

An RFAI will be sent if a report does not properly itemize contributions and transfers to other federal political committees and political party committees for [redacted] or more entries, totaling in excess of [redacted] per report.

In addition, an RFAI will be sent if a single entry in excess of [redacted] is not properly itemized.

An informational paragraph under this Standard will only be sent in cases where an RFAI is being sent on the same report.

An informational paragraph will be sent to a committee that does not provide the election designation for contributions to federal candidate committees when a minimum of [redacted] are missing an election designation. Commission Regulations provide the procedure for determining the election to which a contribution should be allocated (11 CFR §110.2(b)(2)(ii)).

Unauthorized Committees

Contributions that have not been disclosed on the appropriate disbursement schedule for Contributions to Federal Candidates and Other Political Committees (i.e., Line 23 of Schedule B) will be subject to the thresholds for an RFAI.

In-kind contributions to Federal Candidates and Other Political Committees that have not been disclosed on the appropriate disbursement schedule with Contributions to Federal Candidates and Other Political Committees (i.e., Line 23 of Schedule B) will be subject to the thresholds for an RFAI.

Authorized Committees

An informational paragraph will be sent if contributions and transfers to other political committees and political party committees are reported on the wrong line and total in excess of

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[redacted].

Disbursements to national, state and local political parties will be reviewed under this Standard for failure to properly disclose the purpose of any contributions or transfers to national, state or local parties and not under Standard 5 as potential excessive contributions. No notice will be sent if disbursements to any national party committee or federally registered state/local party committee are identified as "transfer," "transfer of excess funds," "excess funds," "excess transfer," "excess campaign funds" or "contribution" on Schedule B.

Applying This Standard:

Contributions and transfers disclosed on Schedule B must include the committee's:

- name (**complete** name of committee is required for contributions/transfers to Unauthorized Committees),
- address (see below),
- date,
- amount, and
- purpose (Authorized Committees only)

If the contribution is to a Federal candidate committee, the office sought (if not clearly indicated in the name of the committee), state and district (if applicable) must also be provided.

In determining the adequacy of an address, both of the following items must be supplied:

- The street address, PO Box, or Rural Route #
- The city, state, and zip code.

An entry of "see above", "see previous", or ditto marks (") will not be accepted as an adequate entry.

If the reporting committee itself is disclosed as the payee in a disbursement entry, and the disbursement does not represent a cash-on-hand adjustment or include explanatory memo text, it will be considered inadequate and handled under Standard 11.

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Unauthorized Committees

The intended recipient of the contribution/transfer must be clear or will be subject to the thresholds for an RFAI.

In-kind contributions made must include:

- the name and address (see above) of the payee,
- the date the in-kind services were provided/payment date,
- the amount/value of the in-kind contribution,
- disclosure of the recipient candidate/committee, including office sought, state and district, (if applicable).

Assessment of Audit Points:

[redacted]t will be assessed per report if a committee does not respond or inadequately responds to an RFAI.

No points will be assessed for Contributions (including in-kind) to Federal Candidates and Other Political Committees disclosed on the wrong disbursement schedule.

Referral to ADRO:

[redacted].

Referral to OGC:

[redacted].

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Standard 11: Failure to Properly Itemize Disbursements

***Notices Sent*:**

***The criteria to be met for sending an RFAI*:**

a. Authorized Committees - An RFAI will be sent for each report that does not properly itemize [redacted] of the total entries but not less than [redacted] on a supporting disbursement schedule. This will be calculated per line item on the Detailed Summary Page for Authorized committees.

   Unauthorized Committees - An RFAI will be sent for each report that does not properly itemize [redacted] of the total entries but not less than [redacted] on a supporting disbursement schedule.

b. An RFAI will be sent for failure to properly itemize a single disbursement [redacted] in excess of [redacted].

c. An RFAI will be sent for failure to properly itemize disbursements, [redacted] of entries or [redacted] of entries, which aggregate [redacted] or more.

d. Unauthorized Committees - An Informational paragraph will be included in an RFAI already being sent for another issue, if Schedule B for Line 21(b) discloses an aggregate in excess of [redacted] in apparent public communication expenses (e.g., television, radio, and newspaper) for clarification on possible federal candidate reference.

Applying this Standard

For Unauthorized Committees – this review standard applies to federal operating expenditures on Schedule B for Line 21(b) and refunds of contributions on Schedule B for Line 28 and apparent operating expenses disclosed on Line 29

Authorized and Unauthorized Committees

Proper itemization of a disbursement on Schedule B requires:

- a payee's name,
- address (see below),

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- the date,
- amount, and
- an adequate purpose of disbursement.

An individual entry omitting more than one item of information counts as [redacted] for threshold purposes. [redacted].

Generally, an entry of "see above", "see previous", or ditto marks (") will not be accepted as an adequate entry. However, if a committee discloses a disbursement to a credit card company, other vendor or individual with a purpose of disbursement of "See Memos," "See below," "Reimbursement – See Below," etc. **and** the disbursement is immediately followed by supporting memo entries with adequate purposes, the actual payment disbursement shall not be considered inadequate. This exception applies when the itemized disbursement is directly followed by (in the image view of report as seen on the public record) the memos entries associated with the disbursement, and each contains an adequate purpose of disbursement per Standard 11.

The itemized disbursement and supporting memos should be viewed as one transaction. Therefore, if the committee satisfies requirements for adequacy of purpose on **each** supporting memo entry, then the disbursement of "See Memos," etc. would be considered adequate for the purpose of Standard 11 review.

In determining the adequacy of a mailing address for disbursements, the following will apply:

- Full name of payee, city, state, and zip code will be considered an adequate address; or
- Full name of payee, street address or PO Box, city, and state will be considered an adequate address.
- No address is required for disbursements to "Postmaster," "US Postmaster," "IRS" or "US Treasury."

Entries that are reported on the wrong line (i.e., Unauthorized Committees - Federal Operating Expenses on Schedule B for Line 29, Authorized Committees - refunds reported on Schedule B

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for Line 17 of Form 3 or Line 23 of Form 3P) will be evaluated for adequacy per the line item they should have been reported on.

If the reporting committee itself is disclosed as the payee in a disbursement entry, and the disbursement does not represent a cash-on-hand adjustment or include explanatory memo text, it will be considered inadequate for the purpose of Standard 11 review.

In determining the adequacy of a purpose, the name of the vendor and purpose always need to be reviewed together in order to evaluate its adequacy (i.e., "Supplies" for a disbursement to Staples, Inc. would be adequate, while "Supplies" for a disbursement to the committee treasurer or individual would not be adequate).

In general, the following will apply:

a. Examples of adequate purposes can include, but are not limited to "media," "salary," "polling," "travel," "travel expenses," "phone banks," "dinner expense," and "catering cost." Examples of Election Day get-out-the-vote and voter registration activity can include, but are not limited to "exit polling," "door-to-door get out the vote," "get out the vote phone calls," "driving voters to the polls," "printing," "party fees" or "party annual dues" for disbursements to a National Party Committee, and "Consultant – Media," Consultant – Fundraising," Consultant – Get-Out-The-Vote," "Consultant – Legal," and "Consultant – Polling" for disbursements to a consultant or a consulting company.

b. Examples of Inadequate Purposes:

(This list is a working document and is not all inclusive.)

1. Administrative Expenses
2. Admin.
3. Advance
4. Benefits *(if to an individual)*
5. Bonus
6. Bounty
7. Campaign Expense
8. Campaign Material
9. Caucus
10. Charges
11. Coalition Building
12. Collateral
51. Generic Consulting
52. General GOTV
53. Get-Out-The-Vote or GOTV
54. Gifts
55. GOTV Expenses
56. GOTV Labor
57. Grassroots Materials
58. In-Kind (*unless an adequate purpose is provided on Sch. A)*
59. Invoice
60. Issue Advocacy
61. Labor
62. Literature

13. Collateral Materials
14. Commission
15. Compensation *(other than committee staff)*
16. Constituent Outreach
17. Consultant
18. Consulting
19. Consulting Non-FEA
20. Consulting - Political
21. Consulting Service
22. Contract
23. Contract Labor
24. Contractual Services
25. Convention Expenses
26. Convention Services
27. Costs
28. Delegate
29. Delegate Expenses
30. Design
31. Discount Fees
32. Election Day Expense
33. Election Night Venue
34. Entertainment
35. Equipment or Equipment Rental *(if to an individual)*
36. Event
37. Event Expense
38. Event Reimbursement
39. Event Supplies *(if to an individual)*
40. Expenses
41. Expense Reimbursement
42. Fees
43. Fundraising *(if to an individual)*
44. Fundraising Event
45. Fundraising Expense *(to an individual)*
46. Fundraising Fees *(if to an individual)*
47. Fundraising Supplies *(to an individual)*
48. General Advice
49. General Consulting
50. Generic Campaign Activity
63. Meeting *(if to an individual*
64. Meeting Expenses *(to an individual)*
65. Meeting Supplies *(to an individual)*
66. Miscellaneous or Misc.
67. Miscellaneous Expense
68. Office Expense *(if to an individual)*
69. Office Services
70. Office Supplies *(if to an individual)*
71. Operating Expenses
72. Other Expenses
73. Outreach
74. Outside Services
75. Overhead
76. Party Development
77. Production
78. Professional Fees
79. Professional Fees – Consulting
80. Professional Services
81. Promotional Material
82. Publication
83. Push Card
84. Reimbursement
85. Rendered Service
86. Services
87. Services Rendered
88. State Convention
89. Supplies *(if to an individual)*
90. Technology
91. Transfer *(Cmte Type and relationship with the recipient would determine way to question)*
92. Utilities *(if to an individual)*
93. Voter Bounty
94. Voter Contact
95. Voter Drive
96. Voter ID or Voter Identification
97. Voter Registration
98. Voter Turnout
99. Worker

If a committee files an amendment that discloses additional entries that are missing the address, the purpose, the name of the payee, the amount, and/or the date of the disbursement, the analyst will recalculate the threshold for the entries missing information on both the original report and the amendment. A statement such as "no payee needed to be itemized" will be acceptable.

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Petty Cash/Stipend/Per Diem Disbursements

Disbursements made to individuals in excess of $100 with the purpose of "petty cash disbursement," "stipend," "per diem" or made directly to "petty cash" will be considered inadequate and questioned under this Standard.

Contribution Refunds

Failure to properly itemize, the name, address, date and amount of contribution refunds is covered under this Standard only for refunds for which itemization is required.

Credit card payments/Disbursements to Payroll Companies/Non-Travel Staff Advances or Reimbursements

If the ultimate payee is not identified for a payment to a credit card company, for disbursements to payroll companies or entities acting as payroll companies, or for advances/reimbursements to a committee staff member, the entry disclosing the credit card, payroll or staff advance/reimbursement will be calculated as part of the [redacted] but not less than [redacted] criteria (item "a" under Notices Sent). If the threshold for item "a" is not met, the entry will be subject to the threshold for item "b" as well. This will apply to "all purpose" companies such as American Express, Visa, and MasterCard, rather than those of a specific type such as oil companies and department stores.

A committee that does not provide sufficient memo itemization for each credit card disbursement will be subject to the following thresholds for determining adequacy of itemization:

a. A credit card disbursement will be considered an inadequate entry if the disbursement amount is greater than [redacted] and greater than [redacted] of that amount is unitemized. Inadequate credit card entries will count toward the [redacted] but not less than [redacted] entries criteria for Standard 11 (item "a" under "Notices Sent").

b. An RFAI will be sent for failure to properly itemize a single credit card disbursement if the unitemized portion of the payment is greater than [redacted] and the unitemized portion no less than [redacted] of the total disbursement amount.

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SENSITIVE

Staff Advances or Reimbursements for Travel or Subsistence

For candidate or staff travel and subsistence (food or lodging) advances/reimbursements, any itemized entry in excess of $500 without proper disclosure of the original vendor (as a memo entry) will be considered inadequate.

In-Kind Contributions

For in-kind contributions, the Schedule A and Schedule B entries for the transaction must be itemized completely on both schedules. If the entry is incomplete on Schedule B, but complete on Schedule A, the lack of information on Schedule B will not be counted toward this threshold.

Debt Payments

This also applies to information disclosed on Schedule D that is incomplete on Schedule B.

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Voided/Returned Checks

Schedule B discloses a voided or returned check(s) for an operating expenditure(s) where an adequate explanation has not been provided (e.g., the check has been reissued, or an adequate reason for the void/return has been provided). A response that indicates service was provided to the committee without payment will be addressed under Standard 5 as an apparent corporate in-kind receipt.

Authorized Committees

A purpose must be supplied for every entry on Schedule B for Lines 17 and 21 of Form 3 and Lines 23, 25, 26 and 29 of Form 3P. The purpose of disbursement field for Schedule B for all other lines can be left blank, as they are self-explanatory based on the line.

Candidate Out-of-Pocket Expenditures with No Memo Entries

For candidates' unreimbursed out-of-pocket expenses on behalf of the committee, frequently disclosed as in-kind contributions from the candidate, the ultimate vendor(s) must be itemized using memo entries if the aggregate amount of payments to that vendor exceeds $200 for the election cycle. Failure to provide supporting memo entries will result in the inclusion of the disbursement transactions in the Standard 11 inadequate entry count.

Unauthorized Committees

Payments for Internal Express Advocacy Communications by SSFs

Separate Segregated Funds disclosing disbursements on Schedule B that appear to be for internal express advocacy communications made to the restricted class will be questioned under this Standard for proper disclosure. Proper disclosure includes:

- the name and address of the payee;
- the date;
- the amount;
- the purpose/type of expense;
- the name of the candidate(s) (including office sought, state and district, if applicable); and
- a statement that the expense is for an internal communication to the restricted class.

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SENSITIVE

Exempt Activity

Party committees disclosing disbursements on Schedule B that may appear to be exempt but which may not meet one or more criteria to qualify under the exemption, will be questioned in accordance with this standard. However, if the exempt disbursements appear on both Schedules B and H4, or only on Schedule H4, they will be handled under Standard 13.

Examples include, but are not limited to:

1) transfers-in from the national committee and subsequent/same day payments for apparent exempt activities within the same reporting period;
2) payments to a direct mail firm for sending campaign materials; and
3) paid staff operating phone banks.

When a transfer(s)-in from a national party committee is disclosed, along with same day or subsequent payments for apparent exempt activity, thresholds "a" or "b" under the "Notices Sent" section should be applied if the total amount of the exempt activity is [redacted] the amount of the transfer(s)–in disclosed. Where the total amount of the exempt activity is [redacted] the transfer(s)-in disclosed, threshold "b" should be applied and the transfer(s)-in amount used.

Non-Party committees that engage in exempt activities will be questioned under this Standard, as this type of activity is not permitted by non-party committees. However, if the disbursements appear on both Schedules B and H4, or only Schedule H4, they will be handled under Standard 13.

Excessive coordinated expenditures or in-kind contributions resulting from non-exempt activities will be handled under Standard 5.

Reporting problems, as described under this Standard, that appear on both Schedules B and H4 will be handled in accordance with the thresholds in Standard 13. With the exception of exempt activity, reporting problems that appear on Schedule B for Line 21(b) (not H4) **and also on** Schedule B for Line 30(b), Schedule H6 and/or Schedule L-B will be handled in accordance with the thresholds in Standard 12.

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SENSITIVE

Note: the reporting problems as described under this Standard do not have to be exactly the same on both Schedules in order for this to apply.

***Assessment of Audit Points*:**

[redacted] per reporting period will be assessed if the committee does not respond or inadequately responds to an RFAI.

***Referral to ADRO*:**

A referral to ADRO will be made if a committee does not respond or inadequately responds to an RFAI for disbursements with omitted or inadequate information, provided the total amount of the disbursements with the missing or inadequate information is in excess of [redacted] and less than or equal to [redacted] during a reporting period.

Referral to OGC:

A referral to OGC will be made if a committee does not respond or inadequately responds to an RFAI for disbursements with omitted or inadequate information, provided the total amount of the disbursements with the missing or inadequate information is in excess of [redacted] during a reporting period.

There will be no referrals made to OGC under this Standard for Title 26 Presidential committees.

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SENSITIVE

Standard 12: Federal Election Activity/Levin Funds

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

Section A: Transfers-in from a Non-Federal or Levin Account (Schedule H5)

***Notices Sent*:**

An RFAI will be sent when the amount of the activity described below for this section is in excess of [redacted].

***Applying this Standard*:**

***Section A can include situations where*:**

a. The federal account receives excessive transfers-in from its non-federal or Levin account for allocated Federal Election Activity ("FEA").

b. The federal account receives transfers-in from its non-federal or Levin account for allocated FEA outside of the 70-day window.[28]

For items "a" and "b", Line 18(b), Column A will be checked against Line 30(a)(ii), Column A for each report in order to assess whether the transfers-in for allocated federal election activity were timely or excessive.

If Line 18(b) is greater than Line 30(a)(ii), the analyst will review Schedule H5 for transfers-in disclosed during the last 10 days of the reporting period and subtract the amount of these transfers from Line 18(b).

If the amount on Line 18(b) still exceeds Line 30(a)(ii), the amount in excess will be applied towards the RFAI threshold.

Note: This formula will be calculated based on the combined activity for every [redacted], beginning with the [redacted] Monthly Report. During an election year, the formula will also be applied to the combined activity on the [redacted] Reports.

[28] An Informational Notice will be sent the first time in the cycle where a definitive determination is made that the committee received transfers-in outside of the 70-day window.

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c. On the first report that a Schedule H5 or L is filed, it is not clear whether the committee is using a separate Levin account or an account that functions as both a non-federal and a Levin account for FEA.[29]

d. The federal account receives transfers-in from its non-federal or Levin account for activity on Schedule H6 that does not meet the definition of allocable FEA as explained in 11 CFR 300.33 (Examples include payments for salary and/or wages, apparent FEA public communications defined in 11 CFR 100.26, non-allocable fundraising costs for FEA, 100% Levin activity; contributions to federal or non-federal candidates; transfers or contributions to other federal or non-federal committees).

e. The federal account discloses debts owed to the non-federal or Levin account for federal election activity that should have been paid by the federal account as an allocated FEA; the federal account reimburses the non-federal or Levin account for activity that should have been paid by the federal account as an allocated FEA; or the federal account makes a transfer to the non-federal or Levin account without providing an adequate purpose.

f. Schedule H6 discloses voided or returned checks where the federal portion has not been accounted for (i.e., reissued check) or an adequate reason for the void/return has not been provided in order to avoid the acceptance of a corporate in-kind contribution (i.e., service provided without payment), and/or there does not appear to be a transfer-out to remedy the apparent overpayment from the non-federal or Levin account.

g. Schedule B for Line 30(b) discloses voided or returned check(s) for FEA. In addition, it does not appear that the check has been reissued, or that an adequate reason for the void/return has been provided in order to avoid the acceptance of a corporate in-kind contribution (i.e., service provided without payment).

[29] If it appears that the committee is using an account that functions as both a non-federal and a Levin account, the committee will be questioned on whether they are using a reasonable accounting method approved by the Commission.

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h. The federal account discloses refunds/rebates for allocated FEA on Schedule A without transferring-out the Levin share of the refund/rebate to the non-federal or Levin account.

i. Schedule L-A discloses the apparent receipt of more than [redacted] in Levin funds from any person in a calendar year (separate limits apply for affiliated committees).

j. Schedule H6 discloses allocated fundraising payments for FEA.

k. Schedule L-A discloses transfers-in from a national, state, district and/or local party committee, a federal candidate and/or a federal officeholder.

l. Schedule H6 discloses apparent exempt activity which may also qualify as an FEA Public Communication.

m. Schedule L-B discloses Voter Registration, GOTV, Generic Campaign or Voter Identification activity within FEA timeframes which appear to be paid for with 100% Levin funds.

Assessment of Audit Points for Section A:

[redacted] per reporting period will be assessed if a committee does not respond or inadequately responds to an RFAI. A response that adequately refutes the existence of a violation will not count toward the audit point threshold.

***Referral to ADRO for Section A*:**

[redacted].

***Referral to OGC for Section A*:**

A referral to OGC will be made if a committee does not respond or inadequately responds and the amount of the apparent prohibited and/or impermissible activity is in excess of [redacted] and exceeds [redacted] of the total disbursements for the reporting period (Line 31).

A response that adequately refutes the existence of a violation will not count toward the audit

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point or OGC referral thresholds.

Section B: Reporting Problems (Schedules B, H1, H5, H6, L, L-A and L-B)

***Notices Sent*:**

***The criteria to be met for sending an RFAI*:**

a. An RFAI will be sent for omitted or insufficient Schedules H1, H5, H6, L, L-A (for Lines 1(a) and 2) and/or L-B (for Lines 4(a) – (d)), regardless of the amount;

b. An RFAI will be sent for an omitted Schedule L-B for Line 5 and/or Schedule B for Line 30(b) when the amount disclosed on Column A of the Line is in excess of [redacted] and no Schedule is provided;

c. An RFAI will be sent for any reporting problems or discrepancies that appear on Schedule H1, regardless of the amount;

d. An RFAI will be sent for any reporting problems or discrepancies (see examples below) that appear on Schedules H5, H6, L, L-A, L-B and/or B for Line 30(b), and/or for any improperly disclosed Federal Election Activity for entries totaling in excess of [redacted] (this includes apparent disbursements for FEA Public Communications on Schedule H4);

e. An RFAI will be sent when an amendment(s) filed more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), discloses additional Levin fund activity of at least [redacted] of the receipts or disbursements, whichever is appropriate, and in excess of [redacted] (this does not apply to an amendment(s) filed prior to the due date of the original report);

f. An RFAI will be sent when an amendment filed more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), discloses a decrease in Levin Fund activity where the deleted activity is at least [redacted] of the receipts or disbursements, whichever is appropriate, and exceeds [redacted] and an adequate explanation has not been provided;

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g. An RFAI will be sent when no salary or wages are disclosed on Schedule B for Line 30(b) and the total disbursed during the reporting period is in excess of [redacted]. This assessment will not be made until the first FEA time period has begun for each State (including Special elections) and will be based on the activity of [redacted], beginning with the [redacted] Monthly Report during the election year. The assessment for the last [redacted] of the election year will be based on the combined activity on the [redacted] Reports.

h. An RFAI will be sent for failure to disclose on Schedule L-A the name, address, date of receipt, amount, aggregate year-to-date total, occupation and/or name of employer or principal place of business for [redacted] but not less than [redacted] entries per report.

i. An RFAI will be sent to a Quarterly filer when Federal Election Activity totaling in excess of [redacted] for the calendar year is disclosed. This includes activity on Schedule B for Line 30(b) (Federal Election Activity Paid with 100% Federal Funds), Schedule E (Independent Expenditures), Schedule F (Coordinated Expenditures[30]), Schedule H6 (Allocated Federal Election Activity), Schedule L-A (Levin Receipts) and Schedule L-B (Levin Disbursements). The committee's filing frequency will be changed to "Monthly" in the database and notification of the change in filing frequency (MS-O) sent to the Committee.[31]

j. An Informational Paragraph will be sent when Schedule B for Line 21(b) discloses Voter Registration activity during the 120 days before a regularly scheduled federal election through the day of that election, which would be considered FEA.

k. An Informational Paragraph will be sent when Schedule B for Line 21(b) discloses Voter Identification, Generic Campaign and/or GOTV activities conducted in connection with an election in which one or more candidates for federal office appear on the ballot.

[30] For apparent Public Communications only.

[31] A referral to OGC threshold has been established for this issue under Standard 4 (see the "OGC Referral" section).

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***Applying this Standard*:**

Examples of reporting problems and discrepancies include, but are not limited to, the following:

Schedule H1:

1) Omitted (not provided for Special Elections, otherwise handle under Standard 13B);

2) Percentage not checked or inaccurate;

3) More than one fixed percentage checked;

4) Method of allocation incorrect.

Schedule H5:

1) Omitted or the sum of entries do not equal Line 18(b) of the Detailed Summary Page;

2) Name of account, date of receipt, total amount transferred not provided;

3) Breakdown of transfer by type of allocated activity not provided.

Schedule H6:

1) Omitted or the sum of the entries do not equal Lines 30(a)(i) and 30(a)(ii) of the Detailed Summary Page;

2) Omitted payee's name, address, date, federal share, Levin share, and/or total amount;

3) Type of allocated activity or event not checked or unclear;

4) Allocated Activity or Event year-to-date totals are omitted, incorrect or a grand total for each activity/event for the period is not present. A year-to-date total that is cumulative for each activity/event is acceptable as is a year-to-date total that represents the total spent, per activity or event, for the calendar year;

5) Purpose of disbursement omitted or inadequate (see chart of inadequate purposes under Standard 11);

6) Apparent FEA public communication disbursements requiring disclosure on Schedule B for Line 30(b) where the candidate identification and/or attribution is missing (also when disclosed on Schedule H4);

7) Apparent exempt activity disclosed which may also qualify as an FEA Public Communication where the candidate identification and/or attribution is missing (also when disclosed on Schedule H4);

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8) The ultimate payee is not identified for a payment to a credit card company, for disbursements to payroll companies, or for advances/reimbursements to a committee staff member; and

9) Disbursements made to individuals in excess of $100 with the purpose of "petty cash disbursement", "stipend", "per diem" or made directly to "petty cash."

Schedule B for Line 30(b):

1) Omitted payee's name, address, date and/or amount;

2) Purpose of disbursement omitted or inadequate;

3) Omitted candidate identification and/or attribution for apparent FEA public communication disbursements (also when disclosed on H4);

4) Apparent exempt activity disclosed which may also qualify as an FEA Public Communication where the candidate identification and/or attribution is missing;

5) The ultimate payee is not identified for a payment to a credit card company, for disbursements to payroll companies, or for advances/reimbursements to a committee staff member; and

6) Disbursements made to individuals in excess of $100 with the purpose of "petty cash disbursement", "stipend", "per diem" or made directly to "petty cash."

Schedule L:

1) Name of account omitted;

2) Column A and/or B totals omitted or incorrect;

3) Schedules total more than Line number on Schedule L.

Schedule L-A:

Omitted name, address, date of receipt, amount of receipt, aggregate year-to-date total, occupation and/or name of employer or principal place of business.

Schedule L-B:

Omitted name, address, date of disbursement, amount for Lines 4 and 5, and/or purpose of disbursement for Line 5 only.

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Other Federal Election Activity Reporting Issues

1) Transfers-in from a national, state, district and/or local party committee and subsequent/same day payments for allocable Federal Election Activity within the same reporting period on Schedule H6.

2) Discrepancy between the transfers received on Schedule H5 and the transfers made on Schedule L-B supporting Line 4 of Schedule L.

***Assessment of Audit Points for Section B*:**

[redacted] per reporting period will be assessed if the committee does not respond or inadequately responds to an RFAI.

A committee that files an amendment(s) to a report more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), which discloses an increase or a decrease in Levin fund activity of at least [redacted] of the receipts or disbursements, whichever is appropriate, and is in excess of [redacted], will be assessed [redacted] Amendments filed prior to the due date of the original report are not subject to this provision. Receipts and disbursements should be assessed separately (not combined), but still [redacted] is assigned per reporting period of increased or decreased activity.

***Referral to ADRO for Section B*:**

A referral will be made to ADRO if a committee does not respond or inadequately responds to an RFAI and the total of all omitted schedules under this section exceeds [redacted] and is less than or equal to [redacted] per report. A referral to ADRO may be made if the total of all omitted schedules exceeds [redacted] and the matter has been subject to the OGC Review and Concurrence Process.

A referral will be made to ADRO if a committee does not respond or inadequately responds to an RFAI and the total of all reporting problems and discrepancies exceeds [redacted] and is less than or equal to [redacted] during a reporting period (see examples above). Mathematical discrepancies will not be included.

A referral to ADRO will be made if a committee does not respond or inadequately responds to an RFAI for no salary payments on Schedule B for Line 30(b) when the total disbursements (Line 31) aggregate in excess of [redacted] and is less than or equal to [redacted] per [redacted] report or [redacted] reports.

A referral will be made to ADRO if a committee files an amendment(s) [redacted] after the filing date of the original report, which discloses an increase or decrease in Levin fund receipts or disbursements of [redacted] or more <u>and:</u>

- For Election sensitive reports, is in excess of [redacted] and less than or equal to [redacted] (includes October Quarterly, October Monthly and Pre-election reports for primary, general, runoff and special elections).

- For Non-election sensitive reports, is in excess of [redacted] and less than or equal to [redacted].

A referral may also be made to ADRO if the increase or decrease in activity is [redacted] or more and is in excess of [redacted] for election sensitive reports, and in excess of [redacted] for non-election sensitive reports, and the matter has been subject to the OGC Review and Concurrence Process.

***<u>Referral to OGC Section B</u>*:**

A referral to OGC will be made if a committee does not respond or inadequately responds to an RFAI and the total of all omitted schedules under this section exceeds [redacted] per report.

A referral to OGC will be made if a committee does not respond or inadequately responds to an RFAI and there are in excess of [redacted] in reporting problems and discrepancies during a reporting period (see examples above). Mathematical discrepancies will not be included.

A referral to OGC will be made if a committee does not respond or inadequately responds to an RFAI for no salary payments on Schedule B for Line 30(b) when the total disbursements (Line 31) aggregate in excess of [redacted] per [redacted] report or [redacted] reports.

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Additionally, a referral will be made to OGC if a committee files an amendment(s) [redacted] after the filing date of the original report, which discloses an increase or decrease in Levin fund receipts or disbursements of [redacted] or more and, for election sensitive reports, is in excess of [redacted] and for non-election sensitive reports, is in excess of [redacted], when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

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SENSITIVE

Standard 13: Allocated Federal and Non-Federal Activity

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

Section A: Transfers-in from the Non-Federal Account (Schedule H3)

Notices Sent:

An RFAI will be sent when the amount of the activity described below for this section is in excess of [redacted]

Applying this Standard:

Section A addresses situations where:

a. The federal account receives excessive transfers-in from the non-federal account for allocated activity.

b. The federal account receives transfers-in from the non-federal account for allocated activity outside of the 70-day window[32].

For items "a" and "b", Line 18(a), Column A will be checked against Line 21(a)(ii), Column A for each report in order to assess whether the transfers-in were timely or excessive for expenses in the following categories: Administrative, Generic Voter Drive, and Exempt activities. The analyst should:

1) Review Schedule H3 for transfers-in disclosed during the last 10 days of the reporting period and subtract the amount of these transfers from Line 18(a); and

2) Subtract any transfers for Fundraising and Direct Candidate Support activities that occur within the 70-day window from the Line 18(a) total; and

3) Subtract the non-federal share of any disbursements for Fundraising and Direct Candidate Support disclosed on Schedule H4 from the Line 21(a)(ii) total.

[32] An Informational Notice will be sent the first time in the cycle where a definitive determination is made that the committee received transfers-in outside of the 70-day window.

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If the amount on Line 18(a) exceeds Line 21(a)(ii), the amount in excess will be applied towards the RFAI threshold.

Note: For Quarterly filers, this formula will be calculated [redacted] except that during an election year, the formula will be applied to the combined activity on the [redacted] Reports.

For Monthly filers, this formula will be calculated based on the combined activity for every [redacted] reports filed, beginning with the [redacted] Monthly Report. During an election year, the formula will also be applied to the combined activity on the [redacted] Reports.

c. Schedule H4 discloses activity that does not meet the definition of allocable activity as explained in 11 CFR §§ 106.6 and 106.7 for which a transfer-in from a non-federal account may have occurred. (Examples include payments for 100% federal activity and payments for 100% non-federal activity; contributions to federal or non-federal candidates; transfers or contributions to other federal or non-federal committees; payments for salary and/or wages for State, District and Local Party Committees[33], apparent payments for FEA public communications as defined in 11 CFR §100.26).

d. The federal account discloses debts owed to the non-federal account for activity that should have been paid by the federal account as an allocable activity; the federal account reimburses the non-federal account for activity that should have been paid by the federal account as an allocable activity; or the federal account makes a transfer to the non-federal account without providing an adequate purpose.

e. Schedule H4 discloses voided or returned checks where the federal portion has not been accounted for (i.e., reissued check) or an adequate reason for the void/return has not been provided in order to avoid the acceptance of a corporate in-kind contribution (i.e.,

[33] The assessment of salary and/or wages will [redacted] for each State (including Special elections) and will be based on the activity of [redacted] reports filed, beginning with the [redacted] Monthly Report during the election year. The assessment for the last [redacted] of the election year will be based on the combined activity on the [redacted] Reports.

service provided without payment), and/or there does not appear to be a transfer-out to remedy the apparent overpayment from the non-federal account.

f. The federal account discloses refunds/rebates for allocable expenses on Schedule A without transferring-out the non-federal portion of the refund/rebate to the non- federal account.

g. For State, District & Local Party Committees, when Schedule H4 discloses Voter Registration activity during the 120 days before a regularly scheduled federal election through the day of that election, which would be considered FEA.

h. For State, District & Local Party Committees, when Schedule H4 discloses Voter Identification, Generic Campaign and/or GOTV activities conducted in connection with an election in which one or more candidates for federal office appear on the ballot.

i. For State, District & Local Party Committees, when Schedule H4 discloses apparent exempt activity which may also qualify as an FEA Public Communication.

j. The federal account receives a reimbursement from the non-federal account for a payment that was made in error from the federal account for non-federal activity[34].

Assessment of Audit Points for Section A:

[redacted] per reporting period will be assessed if a committee does not respond or inadequately responds to an RFAI. A response that adequately refutes the existence of a violation will not count toward the audit point threshold.

Referral to ADRO for Section A:

[redacted].

Referral to OGC for Section A:

A referral to OGC will be made if a committee does not respond or inadequately responds and the amount of the apparent prohibited and/or impermissible activity exceeds [redacted]

[34] An RFAI will not be sent if the reimbursement from the non-federal account was received during the same reporting period that the payment was made from the federal account, if clear on the face of the report.

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[redacted].

A response that adequately refutes the existence of a violation will not count toward the audit point or OGC referral thresholds.

Section B: Reporting Problems (Schedules H1, H2, H3 and H4)

Notices Sent:

The criteria to be met for sending an RFAI:

a. An RFAI will be sent for omitted or insufficient Schedules H1, H2, H3 and/or H4, regardless of the amount;

b. An RFAI will be sent for any reporting problems or discrepancies which appear on Schedules H1 and/or H2, regardless of the amount;

c. An RFAI will be sent for any reporting problems or discrepancies that appear on Schedules H3 and/or H4 for entries totaling in excess of [redacted]; and/or

d. No/Limited administrative expenses disclosed by party committees and the total disbursed during the reporting period is in excess of [redacted]. For Monthly filers, assessment is based on the combined activity of three monthly reports filed, beginning with the [redacted] Monthly Report. During an election year, the assessment will be based on the combined activity on the [redacted] Reports.

Examples of reporting problems and discrepancies include, but are not limited to, the following:

Schedule H1:

1) Omitted;

2) For PACs, inaccurate percentage figures entered in box;

3) For PACs, at least one "ratio applies to" box has not been checked;

4) For State, District and Local Party Committees, more than one fixed percentage checked or

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no fixed percentage checked;

5) For State, District and Local Party Committees, method of allocation incorrect; or

6) For State, District & Local Party Committees, the fixed percentage selected does not accurately reflect whether the committee has a Presidential and/or Senate candidate on the next regular General election ballot.

If a Nonconnected Committee or a Separate Segregated Fund chooses to allocate Administrative expenses, Voter Drive expenses and/or Public Communications Referencing a Party Only, a Schedule H1 must be filed with each report where Schedule H4 reflects payments for Administrative expenses, Voter Drive expenses and/or Public Communications Referencing a Party Only. Further, separate H1's must be filed if a different ratio is used for one or more of the categories.

A Schedule H1 must be filed by State, District and Local Party Committees with the first report filed each year that discloses an allocable expense.

Schedule H2:

1) Omitted;

2) Type of activity omitted, unclear or does not correspond with Schedule H3 or H4;

3) Activity or Event Identifier omitted or unclear;

4) Percentages omitted or, if listed, do not equal 100%;

5) Ratio box not checked, and the percentage differs from that previously reported; or

6) Event date omitted for revised ratio.

Schedule H3:

1) Omitted or the sum of entries do not equal Line 18(a) of the Detailed Summary Page;

2) Name of account, date of receipt, total amount transferred not provided or unclear;

3) Breakdown of transfer by category not provided; or

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4) Activity or Event Identifier omitted, unclear or does not correspond with Schedule H2 or H4.

Schedule H4:

1) Omitted or the sum of the entries do not equal Lines 21(a)(i) and 21(a)(ii) of the Detailed Summary Page;

2) Omitted payee's name and/or address, date, federal and/or non-federal share, and/or total amount;

3) Type of allocated activity or event not checked or unclear;

4) Activity or Event Identifier omitted or unclear;

5) Allocated Activity or Event year-to-date totals are omitted, incorrect or a grand total for each activity/event for the period is not present. A year-to-date total that is cumulative for each activity/event is acceptable as is a year-to-date total that represents the total spent, per activity or event, for the calendar year.

6) Purpose of disbursement omitted or inadequate (see examples of inadequate purposes under Standard 11);

7) Possible candidate fundraising expenses not allocated to candidates;

8) Activity categorized as "exempt" or that appears to be "exempt" but which may not qualify under the exemption (see below);

9) The ultimate payee is not identified for a payment to a credit card company, for disbursements to payroll companies, or for advances/reimbursements to a committee staff member; and

10) Disbursements made to individuals in excess of $100 with the purpose of "petty cash disbursement," "stipend," "per diem" or made directly to "petty cash."

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Exempt Activity

Party committees disclosing disbursements on Schedule H4 that may appear to be exempt but which may not meet one or more criteria to qualify under the exemption, will be questioned in accordance with this standard. If the exempt disbursements appear on both Schedules B and H4 they will be handled under this Standard as well.

Examples include, but are not limited to:

a) transfers-in from the national committee and subsequent/same day payments for apparent exempt activities within the same reporting period;
b) payments to a direct mail firm for sending campaign materials; and
c) paid staff operating Presidential and Vice Presidential nominee phone banks.

Non-Party committees that engage in exempt activities will be questioned under Standard 11 if the disbursements appear on Schedule B only, as this type of activity is not permitted by non-party committees. However, if the disbursements appear on both Schedules B and H4, or only Schedule H4, they will be handled under this Standard.

In determining the adequacy of a mailing address for disbursements, the criteria under Standard 11 will apply.

National Party Committees that appear to be in violation of 11 CFR §§ 300.10, 300.11 300.12 and 300.13 will be handled under Standard 30.

Assessment of Audit Points for Section B:

[redacted] per reporting period will be assessed if the committee does not respond or inadequately responds to an RFAI.

Referral to ADRO for Section B:

A referral to ADRO will be made when a committee does not respond or inadequately responds to an RFAI and the total of all omitted schedules exceeds [redacted] and is less than or equal to [redacted] per report. A referral to ADRO may be made if the total of all omitted schedules exceeds [redacted] per report and the matter has been subject to the OGC Review and Concurrence Process.

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A referral to ADRO will be made if a committee does not respond or inadequately responds to an RFAI and the total of all reporting problems and discrepancies exceeds [redacted] and is less than or equal to [redacted] during a reporting period (see examples above). Mathematical discrepancies will not be included.

A referral to ADRO will be made if a party committee does not respond or inadequately responds to an RFAI for no/limited administrative expenses when the total disbursements aggregate in excess of [redacted] and less than or equal to [redacted] per [redacted] report or combined activity of [redacted] Reports.

Referral to OGC for Section B:

A referral to OGC will be made when a committee does not respond or inadequately responds to an RFAI and the total of all omitted schedules exceeds [redacted] per report and when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

A referral to OGC will be made if a committee does not respond or inadequately responds to an RFAI and there are in excess of [redacted] in reporting problems and discrepancies during a reporting period (see examples above). Mathematical discrepancies will not be included.

A referral to OGC will be made if a party committee does not respond or inadequately responds to an RFAI for no/limited administrative expenses and the total disbursements aggregate in excess of [redacted] per [redacted] report or combined activity of [redacted] reports.

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Standard 14: Independent Expenditure Reporting Problems – Political Committees (Form 3X)

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

***Notices Sent*:**

An RFAI will be sent for failure to properly disclose an aggregate amount in excess of [redacted] in independent expenditures on Schedule E during a reporting period.

Applying this Standard

Proper disclosure requires:

- the payee's name and address;
- an adequate purpose (see examples under Standard 11);
- the date;
- the amount;
- identification of a candidate,
- an indication of whether the candidate is supported or opposed;
- the office sought, state and district (if applicable) for each federal candidate;
- the calendar year-to-date total, per election, per office sought[35];
- an election designation[36]; and
- the signature of the treasurer.

24 and 48-Hour Reports of independent expenditures made by committees will be reviewed under this Standard for proper disclosure of the above information.

Date, amount and/or vendor discrepancies between the entries disclosed on the 24/48–Hour Reports and the entries disclosed on Schedule E will be addressed under this Standard.

Independent expenditures disclosed after the applicable election will be addressed under this Standard.

It will be considered acceptable if a committee discloses non-communication items (such as food, lodging or salary) as the purpose for an independent expenditure.

[35] Both missing and incorrect totals will be assessed for purposes of sending an RFAI.
[36] The analyst will check to ensure the designation is for an election the candidate is eligible to participate in.

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Failure to file or timely file 24 and 48-Hour Reports will be handled under Standard 7.

Discrepancies relating to the Calendar Year-To-Date, Per Election, for Office Sought Total on Schedule E will be handled under Standard 6 (Mathematical Discrepancies).

***Assessment of Audit Points*:**

[redacted] per reporting period will be assessed if a committee does not respond or inadequately responds to an RFAI.

***Referral to ADRO*:**

A referral to ADRO will be made if a committee or entity does not respond or inadequately responds to an RFAI and the independent expenditures incorrectly reported on Schedule E aggregate in excess of [redacted] in a [redacted] and do not meet the OGC referral threshold.

***Referral to OGC*:**

A referral to OGC will be made if a committee or entity does not respond or inadequately responds to an RFAI, and the independent expenditures incorrectly reported on Schedule E aggregate in excess of [redacted] in a [redacted].

If a response reveals that the activity does not meet the definition of an independent expenditure, the matter will be handled according to Standard 5.

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Standard 15: Coordinated Party Expenditure Reporting Problems

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

Notices Sent:

An RFAI will be sent for failure to properly disclose an aggregate amount in excess of [redacted] in coordinated party expenditures on Schedule F during a reporting period.

Applying this Standard:

Proper disclosure requires:

- the identification of the authorizing committee;
- the payee's name and address;
- an adequate purpose (see examples under Standard 11);
- the date of the coordinated expenditure;
- the amount;
- the aggregate general election expenditure total;
- the identification of the candidate supported, and
- the office sought, state and district (if applicable).

Discrepancies with Aggregate General Election Expenditure totals on Schedule F will be handled under Standard 6 (Mathematical Discrepancies).

Coordinated party expenditures disclosed after the General election will be handled under this Standard.

Assessment of Audit Points:

[redacted] per reporting period will be assessed if a committee does not respond or inadequately responds to an RFAI.

Referral to ADRO:

A referral to ADRO will be made if a committee does not respond or inadequately responds to an RFAI and the coordinated party expenditures incorrectly reported aggregate in excess of [redacted] in a [redacted] and do not meet the OGC referral threshold.

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Referral to OGC:

A referral to OGC will be made if a committee does not respond or inadequately responds to an RFAI and the coordinated party expenditures incorrectly reported aggregate in excess of [redacted] in a [redacted].

If a response reveals that the activity does not meet the definition of a coordinated expenditure, the matter will be handled according to Standard 5.

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Standard 16: Failure to Properly Itemize Loans

***Notices Sent/Applying this Standard*:**

An RFAI will be sent for failure to properly itemize loans when the original amount of a single loan is in excess of [redacted] or when single loans from the same source of less than or equal to [redacted] aggregate in excess of [redacted] per report.

Proper itemization of a loan includes:

- the name and mailing address of the person making or receiving a loan;
- the original amount of the loan;
- the cumulative payments to date;
- the outstanding balance at close of the period;
- the date the loan was incurred (mm/dd/yr);
- the date the loan is due (or amortization schedule);
- the interest rate;
- A Schedule C-1 and loan agreement, if loan is from a lending institution;
- Authorized Committees only – A Schedule C-1 if the loan or contribution is from the candidate and was derived from a bank loan, or an advance on the candidate's brokerage account, credit card, home equity line of credit, or other line of credit. If the loan or line of credit was obtained using collateral, this information along with whether the lender has perfected security in the collateral, should be included on the C-1.

The adequacy of the address will be determined using the criteria set forth in Standard 11.

An RFAI will be sent requesting the status (e.g., overdue, refinancing) of a single loan (for Authorized Committees not including personal funds), in excess of [redacted].

An RFAI will be sent if loans from lending institutions are combined into a single figure.

If the committee has an outstanding loan from a lending institution and discloses no interest payments per the loan agreement, nor carries the interest payments as debts, it will be handled under Standard 5.

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Loans to the Committee from a Lending Institution

- An RFAI will be sent for failure to provide a Schedule C-1 and a copy of the loan agreement for each new or restructured loan, extension of line of credit or draw on line of credit in excess of [redacted]. To be considered acceptable, a C-1 must be signed by an official of the lending institution.

- An RFAI will be sent for failure to supply a copy of the loan agreement for a single loan from a lending institution in excess of [redacted].

- For electronic filers, any report submitted that should contain a Schedule C-1, must include a Schedule C-1 without the original signatures. In addition, at the same time a committee submits its report electronically, it must mail in a copy of the loan agreement and a separate copy of the Schedule C-1 containing the original signatures.

An informational paragraph under this Standard will only be sent in cases where an RFAI is being sent on the same report.

An informational paragraph will be sent when interest payments are included with the principal payments shown on Schedule B.

[redacted] for failure to disclose the amount guaranteed outstanding. Commission regulations specify the procedure for allocating such amounts. (See 11 CFR §100.82).

[redacted] for failure to check the box indicating whether the loan was secured.

Mathematical discrepancies relating to calculations within Schedule C will be handled under Standard 6. Omitted loans and loan balance discrepancies between reports will be handled under Standard 7.

The only information required for endorsers or guarantors of a loan on Schedule C is the full name of the individual. Failure to provide the other necessary disclosure information (e.g.,

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complete mailing address, occupation, name of employer) will be considered under Standard 8 (Failure to Properly Itemize Contributions from Individuals). This will apply only to endorsers or guarantors where the amount guaranteed exceeds $200. Such contributions will be added to the percentage and number of entries under Standard 8.

Authorized Committees

An RFAI will be sent for failure to clarify the source (i.e., "personal funds," "candidate bank loan," "candidate brokerage account," etc.) of a single loan reported as from the candidate in excess of [redacted] or when single loans from the same source of less than [redacted] aggregate in excess of [redacted] per report.

For committees not active in the current or future election cycles and whose report discloses zero (0) activity, [redacted] regarding their failure to provide the terms of a loan that had been previously reported.

An RFAI will be sent to clarify "loan source" discrepancies for missing, inadequate or unclear information provided on Schedules C or C-1.

An RFAI (with [redacted]) will be sent when a committee does not convert a candidate loan amount(s) in excess of $250,000 to contributions, when the loan(s) remains unpaid 20 days after the applicable election to which the loan(s) was designated for. The amount greater than $250,000 must be in excess of [redacted] to receive an RFAI. If the amounts of loan repayments to the candidate exceed $250,000, the situation will be handled under Standard 26. The RFAI should include an informational paragraph explaining how to report the conversion of a candidate loan in excess to contributions to avoid the committee inflating its cash on hand.

An informational paragraph will be sent requesting the status of an overdue loan in excess of [redacted] from the candidate's personal funds, or a loan from the candidate derived from a bank, or an advance on the candidate's brokerage account, credit card, home equity loan, or other line of credit.

An informational paragraph will be sent when the committee has an outstanding candidate loan derived from the candidate's personal funds, a bank, or an advance on the candidate's brokerage

account, credit card, home equity line of credit, or other line of credit due with interest, and discloses no interest payments on the candidate loan nor carries the interest as a debt. The notice will remind the committee to report interest payments on Schedule B, Line 17.

A notice will not be sent if loans from a candidate's personal funds are combined into a single figure, provided all of the terms of the loans are the same.

If the terms of a personal funds loan from a candidate were previously provided, but are missing on subsequent reports within the election cycle, [redacted]. Questionable loan situations will be brought to the attention of management for further guidance.

Normally, an RFAI or informational paragraph will not be sent for any loan(s) where the loan was paid back in full within [redacted] days of the incurred date.

Assessment of Audit Points:

[redacted] per reporting period will be assessed if a committee does not respond or inadequately responds to an RFAI.

When a committee initially reports a loan in excess of [redacted] and it is missing the source and/or terms, an RFAI will be sent and an audit point is assigned if the committee does not respond in time or responds inadequately. If the information is never provided, and in subsequent reports the terms and/or source is still not provided, an RFAI will again be sent on each report, but [redacted] will be assigned. [redacted].

Referral to ADRO:

A referral to ADRO may be made if a committee does not respond or inadequately responds to an RFAI and the original amount of a single loan (whether from personal funds, bank loan etc.) incorrectly reported exceeds [redacted] per report and the matter has been subject to the OGC Review and Concurrence Process. There will be no referrals made to ADRO under this standard for Title 26 Presidential Committees.

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Referral to OGC:

Referrals will be handled by OGC for the apparent violations noted above in "Referral to ADRO" when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

There will be no referrals made to OGC under this Standard for Title 26 Presidential Committees.

Authorized Committees

Committees not active in the current or future election cycle will not be referred to either ADRO or OGC for failure to provide the terms of an outstanding loan that had previously been reported in an earlier report.

[redacted] will be made when a committee does not provide an interest rate or due date for a candidate loan unless the loan is being paid back with interest to the candidate.

[redacted] will be made when a committee does not convert the amount of a candidate loan(s) greater than $250,000 to a contribution from the candidate.

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Standard 17: Failure to Properly Itemize Debts

Notices Sent:

An RFAI will be sent for failure to properly itemize debts when the aggregate amount of the outstanding ending balance is in excess of [redacted] per report.

Applying this Standard:

Proper itemization includes:

- the full name and address of each creditor or debtor;
- the purpose;
- the outstanding balance at the beginning of the period;
- amount(s) of debt incurred this period;
- payment(s) this period; and
- the outstanding balance at close of period.

The adequacy of the address will be determined using the criteria set forth in Standard 11.

Mathematical discrepancies relating to calculations within Schedule D will be handled under Standard 6.

Omitted debts and debt balance discrepancies between reports will be handled under Standard 7.

If the committee discloses disputed debts, it must show any amounts paid to the creditor, any amount the committee admits it owed, and the amount the creditor states the committee owes. The disputed debts must be disclosed on every report until the dispute is settled.[37]

Assessment of Audit Points:

[redacted] per reporting period will be assessed if a committee does not respond or

[37] The committee must provide an explanation concerning the outcome of the debt dispute for the public record before dropping or lowering the amount of the debt on Schedule D.

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inadequately responds to an RFAI.

Referral to ADRO:

[redacted].

Referral to OGC:

[redacted].

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Standard 18: Independent Expenditure Reporting Problems – Persons Other Than Political Committees (Form 5)

***Notices Sent*:**

An RFAI will be sent for failure to properly disclose an aggregate amount in excess of [redacted] in independent expenditures on an FEC Form 5.

An RFAI will be sent for failure to provide a Schedule 5-A when contributions disclosed on Line 6 of FEC Form 5 exceed [redacted] and no contributions are itemized on a Schedule 5-A (or no Schedule 5-A is provided).

An RFAI will be sent for failure to provide a Schedule 5-E when independent expenditures disclosed on Line 7 of FEC Form 5 exceed [redacted] and no expenditures are itemized on Schedule 5-E (or no Schedule 5-E is provided).

An RFAI will be sent if [redacted] in independent expenditures has been disclosed on Line 7 of Form 5 quarterly report, and no contributions or contributor information has been reported on Line 6.

An RFAI will be sent to any entity that files an amendment(s) to a report(s) of Independent Expenditures on Form 5 [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), which discloses an increase in independent expenditures of at least [redacted] and in excess of [redacted] (this does not apply to an amendment(s) filed prior to the due date of the original report).

An RFAI will be sent to any entity that files an amendment(s) to a report(s) of Independent Expenditures on Form 5 [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), which discloses a decrease in independent expenditures of at least [redacted] and in excess of [redacted], and an adequate explanation has not been provided.

An RFAI will be sent when a 24-Hour Report(s) is not filed or timely filed for independent expenditures in excess of [redacted]. 24-Hour Reports must be filed when independent expenditures aggregating $1,000 or more are made with respect to a given election, during the period less

than 20 days, but more than 24 hours before the day of an election. The report must be received by the Commission by 11:59 p.m. on the day following the date on which independent expenditures aggregate $1,000 or more in accordance with 11 CFR §109.10(d).

An RFAI will be sent when a 48-Hour Report(s) is not filed or timely filed for independent expenditures in excess of [redacted]. 48-Hour Reports must be filed when independent expenditures aggregating $10,000 or more are made with respect to a given election any time during the calendar year up to and including the 20th day before an election. To be considered timely filed, the report must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures aggregate $10,000 or more in accordance with 11 CFR §109.10(c). The RFAI will be sent on the report that covers the period that includes the second day following the date on which independent expenditures occurred.

An RFAI will be sent when apparent in-kind contributions to a federal candidate or a federal candidate's committee disclosed on Form 5 are in excess of [redacted] or more and [redacted] of Line 7.

Applying this Standard

Proper disclosure requires:

- the payee's name and address;
- an adequate purpose (see examples under Standard 11);
- the date;
- the amount;
- identification of a candidate,
- an indication of whether the candidate is supported or opposed;
- the office sought, state and district (if applicable) for each federal candidate;
- the calendar year-to-date total, per election, per office sought[38];
- an election designation[39]; and
- the signature of the treasurer.

24 and 48-Hour Reports for independent expenditures will be reviewed under this Standard for

[38] Both missing and incorrect totals will be assessed for purposes of sending an RFAI.
[39] The analyst will check to ensure the designation is for an election the candidate is eligible to participate in.

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proper disclosure of the above information.

Date, amount and/or vendor discrepancies between the entries disclosed on the 24/48–Hour Reports filed and the entries disclosed on Schedule 5-E will be addressed under this Standard.

Independent expenditures disclosed after the applicable election will be addressed under this Standard.

It will be considered acceptable if an entity discloses non-communication items (such as food, lodging or salary) as the purpose for an independent expenditure.

***Audit Point Assessment*:**

[redacted] will be assessed under this Standard.

***Referral to ADRO*:**

Omitted Schedules (Not Including Increased/Decreased Activity on an Amended Report)

A referral to ADRO will be made when 24 and 48 Hour Reports have not been filed or [redacted] and;

- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted] and is less than or equal to [redacted].
- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted] and is less than or equal to [redacted].

A referral to ADRO may be made if the independent expenditures that were [redacted] exceed [redacted], or if the independent expenditures that were [redacted] exceed [redacted], and the matter has been subject to the OGC Review and Concurrence Process.

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For purposes of calculating the threshold for referral, only independent expenditures amounts for which 24 and 48 Hour Reports have not been filed or have been filed [redacted] will be included. In addition, independent expenditure amounts for which a 48-Hour Report was filed more than [redacted] calendar days after the date the independent expenditure was made will also be included.

A referral to ADRO will be made if the entity does not respond or inadequately responds to an RFAI and the independent expenditures incorrectly reported on Schedule 5-E aggregate in excess of [redacted] in a calendar year and do not meet the OGC referral threshold.

A referral to ADRO will also be made if independent expenditures aggregate in excess of [redacted] in a calendar year where the entity fails to disclose the contributions received for the purpose of furthering the independent expenditures on Line 6 or fails to provide clarifying information regarding the omitted information.

Increased/Decreased Activity on an Amended Report

A referral to ADRO may be made if an entity files an amendment(s) to a report(s) of Independent Expenditures on Form 5 that is received [redacted] after the filing date of the original report, which discloses an increase or decrease in independent expenditures of [redacted] or more, and is in excess of [redacted] and the matter has been subject to the OGC Review and Concurrence Process.

Apparent In-Kind Contributions to Federal Candidate(s) will be handled under the Standard 5 referral threshold.

Referral to OGC:

Omitted Schedules (Not Including Increased/Decreased Activity on an Amended Report)

A referral to OGC will be made when 24 and 48 Hour Reports have not been filed or have been filed [redacted] when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC and:

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- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted].

- For independent expenditures that were [redacted], the total of independent expenditures exceeds [redacted].

For purposes of calculating the threshold for referral, only independent expenditures amounts for which 24 and 48 Hour Reports have not been filed or have been filed [redacted] will be included. In addition, independent expenditure amounts for which a 48-Hour Report was filed more than [redacted] calendar days after the date the independent expenditure was made will also be included.

A referral to OGC will be made if an entity does not respond or inadequately responds to an RFAI and the independent expenditures incorrectly reported on Schedule 5-E aggregate in excess of [redacted] in a calendar year.

A referral to OGC will also be made if independent expenditures aggregate in excess of [redacted] in a calendar year where the entity fails to disclose the contributions received for the purpose of furthering the independent expenditures on Line 6 or fails to provide clarifying information regarding the omitted information.

Increased/Decreased Activity on an Amended Report

A referral will be made to OGC if an entity files an amendment(s) to a report(s) of Independent Expenditures on Form 5 that is received [redacted] after the filing date of the original report, which discloses an increase or decrease in independent expenditures of [redacted] or more, and is in excess of [redacted] when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

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Apparent In-Kind Contributions to Federal Candidate(s) will be handled under the Standard 5 referral threshold.

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SENSITIVE

Standard 19: Debt Settlement Plans & Debt Forgiveness

(This Standard does not apply to Title 26 Authorized Committees)

Notices Sent:

An RFAI (RQ-2) will be sent by the reviewing branches (Authorized and Party/Non-Party) if a committee extinguishes debts on a report which result in possible prohibited contributions, and a Debt Settlement Plan is required but not filed. A Debt Settlement Plan will not be required in instances where the committee states that a creditor has gone bankrupt or has moved and cannot be reached.

The Compliance Branch will send an Acknowledgment of Receipt (MS-B) letter for all Debt Settlement Plans (DSPs) or Creditor Requests to Forgive Debt received by the Agency.

An RFAI (MS-C) will be sent if a DSP is filed to settle debts totaling in excess of [redacted] with omitted or inadequate information.

At the completion of review, the committee or creditor will be sent an MS-E to accept or reject the DSP or Request to Forgive Debt.

Bankrupt Creditors

Debts discharged through bankruptcy proceedings are not included in RFAI or referral thresholds.

Candidate Debts (Authorized Committees)

Loans from the candidate's personal funds or debts to the candidate are not included in RFAI or referral thresholds.

Applying this Standard:

A DSP must include the following information:

Part I:

- Committee Summary Information

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SENSITIVE

- Treasurer Signature

Part II:

- Creditor Summary Information
- Creditor Section and Creditor Signature

Part III (if applicable):

- Creditor name, amount owed, and amount to pay
- Dispute status

An RFAI will be sent if:

- Parts I, II, or III of the DSP are missing or incomplete;
- There are discrepancies between the amounts reported on the DSP and the committee's most recently filed report which result in mathematical errors or missing schedules (see Standards 6 and 7);
- There are discrepancies within previous reports filed by the committee concerning the debts attempting to be settled. Generally, the thresholds in Standards 6 and 7 will apply; however, if the amount of the discrepancy does not meet the applicable threshold, but resolution of the discrepancy is necessary to proceed with review of the Debt Settlement Plan, an RFAI will be sent;
- There are discrepancies between the debt amounts and/or amount paid in Parts I and II; or
- There are discrepancies or omissions unique to the DSP concerning the terms of the settlement which indicate the possibility of excessive or prohibited contributions by the creditor or serious violations of 11 CFR 116.7.

Disputed Debts

A DSP cannot be accepted in regard to disputed debts. If all of the committee's debts are disputed, and the committee files a DSP, the plan will be rejected.

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SENSITIVE

However, a committee with disputed debts can file a debt settlement plan to settle other, non-disputed debts. Such a plan would list debts that are not in dispute (in Part II) and also list the disputed debt (in Part III), describing the nature of the dispute and the status of the committee's efforts to resolve it. The disputed debts would be listed for the Commission's information, while the other, non-disputed debts would be subject to settlement.

Unpayable Debts:

A debt may be deemed unpayable if:

- The debt has been outstanding for at least 24 months, and
- The committee has made reasonable effort as set forth in 116.9(a)(2) to find/contact the creditor

This applies to both terminating committees (which are required to include unpayable debt(s) on their DSP) and on-going committees (which are required to submit a request to the commission to terminate reporting requirements for the debt).

Creditor Statement of Debt Forgiveness:

Creditors of on-going committees may request to forgive a debt if:

- The debt has been outstanding for at least 24 months, and
- The creditor has made reasonable effort to find/contact the committee, or
- The committee does not have sufficient cash-on-hand to pay the creditor and has less than $1,000 in receipts and less than $1,000 in disbursements during the previous 24 months.

DSP Filed by On-Going Committee:

If Line 11, Part I of the DSP is not checked to indicate the committee's intent to terminate, the DSP will be rejected.

Assessment of Audit Points:

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For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

[redacted] will be assessed under this Standard.

Referral to ADRO:

[redacted].

Referral to OGC:

Failure to File DSP

A referral to OGC-CELA/Enforcement will be made for failure to file a Debt Settlement Plan if it appears the committee is settling debts for less than the amount due, and the amount of all outstanding debts meets the OGC referral threshold for Standard 5.

Debt Settlement Plan will be referred to OGC-Compliance Advice Team if:

- The committee accepted public funds; or
- The total amount of debt owed by the committee, as disclosed on the Debt Settlement Plan or the last report filed, whichever is more recent, is equal to or greater than [redacted] (exclusive of candidate payments); or
- There are unresolved issues surrounding the plan which indicate the probability of serious FECA violations; or
- The committee is the subject of a compliance, litigation or audit action.
    - Authorized Committees Only: If the DSP is filed solely for the settlement of candidate debts and/or loans, the DSP will not be referred to OGC. However, RAD will contact OGC, Audit, or ADRO prior to approving the DSP to determine whether the action of forgiving the candidate debts and/or loans will impact the compliance, litigation or audit action.

A Creditor Statement of Debt Forgiveness will be referred to OGC if:

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SENSITIVE

a. The debtor committee accepted public funds; or

b. The amount of any debt owed by a committee to the creditor is equal to or exceeds [redacted] and the debt has not been discharged through bankruptcy proceedings; or

c. There are unresolved issues surrounding the statement which indicate the probability of serious FECA violations; or

d. The debtor committee or creditor is the subject of a compliance, litigation or audit action.

A request from an ongoing committee to consider a debt(s) as non-payable will be referred to OGC if:

a. The committee accepted public funds; or

b. A single debt in the request is equal to or exceeds [redacted] or the total value of all debts in the request equal or exceeds [redacted]. The threshold amount does not include any debts extinguished through bankruptcy proceedings; or

c. There are unresolved issues surrounding the plan which indicate the probability of serious FECA violations; or

d. The committee is the subject of a compliance, litigation or audit action.

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SENSITIVE

Standard 20: Partisan Internal Communications (Form 7)

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

Notices Sent:

An RFAI will be sent if an organization has failed to properly itemize partisan internal communications in excess of [redacted] per report.

An RFAI will be sent when an amendment(s) is filed more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), disclosing additional disbursements of at least [redacted], and in excess of [redacted] (this does not apply to an amendment(s) filed prior to the due date of the original report), and no explanation has been provided.

An RFAI will be sent when an amendment(s) is filed more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), disclosing a decrease in activity where the deleted activity is at least [redacted] of the disbursements, and exceeds [redacted] and no explanation has been provided.

Applying this Standard:

Proper disclosure requires:

- the name, address and type of organization (if ambiguous or unclear);
- report type or period covered;
- type of communication;
- class or category communicated with;
- whether the candidate was supported/opposed;
- the election designation;
- name of candidate;
- the office sought, state and district (if applicable);
- the date(s) of communication; and
- the cost of communication per candidate.

Audit Point Assessment:

[redacted] will be assessed under this Standard.

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For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

Referral to ADRO:

A referral will be made to ADRO if an organization files an amendment(s) [redacted] after the filing date of the original report, which discloses an increase or decrease in disbursements of [redacted] or more and:

- For Election sensitive reports, is in excess of [redacted] and less than or equal to [redacted] (includes October Quarterly and Pre-election reports for primary, general, runoff and special elections).

- For Non-election sensitive reports, is in excess of [redacted] and less than or equal to [redacted].

A referral may also be made to ADRO if the increase or decrease in activity is [redacted] or more and is in excess of [redacted] for election sensitive reports, and in excess of [redacted] for non-election sensitive reports, and the matter has been subject to the OGC Review and Concurrence Process.

Referral to OGC:

A referral to OGC will be made if an organization has expended in excess of [redacted] in a calendar year communicating outside of the permissible class, or if other apparent violations of 11 CFR §114.3 are detected.

A referral to OGC will be made if an organization files a report(s) that was due prior to the General election, after the General election, and the report(s) discloses in excess of [redacted] in activity.

A referral will be made to OGC if an organization files an amendment(s) [redacted] after the filing date of the original report, which discloses an increase or decrease in disbursements or debts of [redacted] or more and, for election sensitive reports, is in excess of [redacted] and for non-election sensitive reports, is in excess of [redacted], when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

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SENSITIVE

Standard 21: Host and Inaugural Committee Reporting Problems

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

Notices Sent/Applying this Standard:

An RFAI will be sent if a host or inaugural committee's report discloses mathematical discrepancies. In this regard, Standard 6 will be followed.

An RFAI may be sent at the discretion of the Assistant Staff Director if there appears to be serious violations on a host or inaugural committee's report.

Assessment of Audit Points:

[redacted] will be assessed under this Standard.

Referral to ADRO:

[redacted].

Referral to OGC:

[redacted].

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nor does it create substantive or procedural rights.
For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

Standard 22: Electioneering Communications Reporting Problems (Form 9)

(This Standard does not apply to Title 52 and Title 26 Authorized Committees or to Unauthorized Committees)

Notices Sent:

An RFAI will be sent when an FEC Form 9 is filed late or not filed. The RFAI will request clarification regarding the circumstances of the late or non-filing.

An RFAI will be sent when an FEC Form 9 is filed and any of the following information is omitted or inadequately reported:

- Full name, address, and employer/ occupation (if applicable) of entity,
- Date of Public Distribution and Communication Title,
- Full name, address, and employer/ occupation of Custodian of Records, and/or
- Signature (if filed on paper)

An RFAI will be sent when an FEC Form 9 is filed and no persons are disclosed as sharing/exercising control.

An RFAI will be sent if [redacted] or more in disbursements have been disclosed on Line 10, no donations have been reported on Line 9, and the filer is an individual or has checked "yes" for box 7.

An RFAI will be sent when an FEC Form 9 is filed and Schedule 9-A of the document does not provide the donor's full name, address, date of receipt, and/ or amount for [redacted] or more itemized entries that total in excess of [redacted].

An RFAI will be sent for failure to properly itemize a single disbursement (one entry) in excess of [redacted].

An RFAI will be sent when an FEC Form 9 is filed and Schedule 9-B of the document does not provide the payee's full name, address, employer/ occupation (if applicable), purpose, name of candidate, office sought, state, and/or district (if applicable), election designation and communication date for any entry in excess of [redacted].

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SENSITIVE

An RFAI will be sent for failure to provide a Schedule 9-A when donations disclosed on Line 9 of FEC Form 9 exceed [redacted] and no donations are itemized on Schedule 9-A (or no Schedule 9-A is provided).

An RFAI will be sent for failure to provide a Schedule 9-B when disbursements/obligations disclosed on Line 10 of FEC Form 9 exceed [redacted] and no disbursements/obligations are itemized on Schedule 9-B (or no Schedule 9-B is provided).

An RFAI will be sent to any entity that files an amendment(s) to a report more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), which discloses additional financial activity of at least [redacted] of the donations or disbursements/obligations, whichever is appropriate, and is in excess of [redacted].

An RFAI will be sent when an amendment(s) is filed more than [redacted] after the filing date of the original report (whether in response to an RFAI or voluntarily), disclosing a decrease in activity where the deleted activity is at least [redacted] of the donations or disbursements/obligations, whichever is appropriate, and exceeds [redacted] and an adequate explanation has not been provided.

Mathematical errors (addition errors and failure to carry forward figures from Schedules 9-A and 9-B to Form 9) will be subject to the thresholds in Standard 6.

Applying This Standard:

An electioneering communication that has not been filed by the [redacted] business day after the date of public disclosure is considered late. *An electioneering communication filed after the applicable election will be considered not filed.

In determining the adequacy of the address, the following must be supplied:

- The street address, PO Box, or RR number
- The city, state, and zip code.

Assessment of Audit Points:

[redacted] will be assigned under this Standard.

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SENSITIVE

Referral to ADRO:

[redacted].

Referral to OGC:

A referral will be made to OGC when an entity does not respond to an RFAI regarding the non-filing of an electioneering communication, when the communication in question is in excess of [redacted] and no adequate explanation has been provided for the public record.

A referral to OGC will be made when an entity files a report(s) that was due prior to an election, after the election, and the report(s) discloses in excess of [redacted] in activity.

A referral will be made to OGC if an entity files an amendment(s) [redacted] after the filing date of the original report, which discloses an increase or decrease in donations or disbursements/obligations of [redacted] or more and is in excess of [redacted]

A referral will be made to OGC if disbursements for electioneering communications aggregate in excess of [redacted] in a calendar year, and the filer does not respond or inadequately responds to an RFAI to disclose the donors who donated an aggregate amount of $1,000 or more (aggregating since the first day of the preceding calendar year) or clarify that no such donations were received.

All referrals to OGC under this standard will be subject to the OGC Review and Concurrence Process for a determination of whether the matter(s) in question is better suited for standard processing in OGC.

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SENSITIVE

Standard 23: Bundling Reporting Problems (Form 3L)

(This Standard applies to Authorized Committees, Leadership PACs and Party Committees)

Notices Sent:

An RFAI will be sent for failure to properly disclose bundled contributions received within the covered period for [redacted], but not less than [redacted] per report.

Applying This Standard

Schedule A

- the name of the lobbyist/registrant or lobbyist/registrant PAC;
- the address of the lobbyist/registrant or lobbyist/registrant PAC;
- the lobbyist/registrant's employer (for individuals); and
- the aggregate amount of bundled contributions received during the covered period

In determining the adequacy of a contributor's address, the following must be supplied:

- The street address, PO Box, or Rural Route #
- The city, state, and zip code.

Assessment of Audit Points:

[redacted] will be assessed per report if a committee does not respond or responds inadequately to an RFAI.

Referral to ADRO:

A committee will be referred to ADRO if it meets both of the following criteria:

- The committee failed to correct the itemization information for entries that total [redacted] in number for the [redacted], and
- The committee failed to correct the itemization information for [redacted] or more of the total entries requiring itemization for the [redacted].

Referral to OGC:

A committee will be referred to OGC in lieu of ADRO if it meets the following criteria:

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SENSITIVE

- The committee failed to correct the itemization information for entries that total [redacted] or more in number for the [redacted], and

- The committee failed to correct the itemization information for [redacted] or more of the total entries requiring itemization for the [redacted].

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SENSITIVE

Standard 24: Continuation of Reporting Problems Noted in a Previous Audit

(This Standard does not apply to Title 26 Authorized Committees)

Notices Sent:

There will be no notices sent under this Standard.

Applying This Standard:

Only violations verified by the Audit Division in final audit reports will be used to determine which reporting problems this section applies to. Problems cited in final audit reports from previous election cycles will be limited to the [redacted] for Unauthorized and House committees and [redacted] for Senate committees and Title 52 Presidential committees.

Assessment of Audit Points:

[redacted] will be assessed for each problem cited in a final audit report as a finding relating to a previous election cycle, where that problem continues in reports filed subsequent to the committee's receipt of the final audit report. Points under this Standard will only be assessed if the committee inadequately responds to or does not respond to a problem noted in an RFAI.

Referral to ADRO:

[redacted].

Referral to OGC:

[redacted].

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SENSITIVE

Standard 25: Problems with Reporting Financial Activity/FEC Database

***Notices Sent/Applying this Standard*:**:

If an analyst believes that a discrepancy, error or omission may have a significant impact on the Commission's Reports on Financial Activity, an RFAI will be sent subject to the approval of the Branch Chief and without regard to the aforementioned Standards.

On a case-by-case basis, the Information Technology Division will notify RAD if a committee's format for the reporting of reattributions, redesignations, earmarked contributions, joint fundraising memos, staff advances and conduit contributions causes document-processing problems. For example, if a committee is involved in a convention or caucus and the contributions received are designated for a primary election by the committee, an RFAI will be sent notifying the committee of the proper reporting format. If the problems continue on subsequent reports, additional RFAIs will be sent.

In addition, if the analyst believes a committee's format for the above transactions is causing document-processing problems or will cause document processing problems in the future, an RFAI will be sent notifying the committee of the proper reporting format when the amount(s) in question is in excess of [redacted]. If the problems continue on subsequent reports, additional RFAIs will be sent.

***Assessment of Audit Points*:**

[redacted] will be assessed for the first RFAI sent to a committee for an apparent violation. On subsequent reports, [redacted] will be assessed per reporting period if the committee does not respond or inadequately responds to an RFAI.

***Referral to ADRO*:**

[redacted].

***Referral to OGC*:**

[redacted].

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For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

Standard 26: Personal Use of Campaign Funds

(This Standard does not apply to Unauthorized and Title 26 Authorized Committees)

Notices Sent:

An RFAI will be sent if a report contains one or more entries in excess of [redacted] each that are apparent Per Se Personal Use of campaign funds, as defined at 11 CFR §113.1(g), with the exception of item "f" below.

An RFAI will be sent for salary payments made to an apparent member of the candidate's family (as described in item "f" below) totaling in excess of [redacted] per report.

Applying This Standard:

This Standard is designed to monitor the personal use regulations. [redacted].

Examples of Per Se Personal Use include but are not limited to:

a. Mortgage payments;

b. Clothing, except articles of de minimus value such as T-shirts or caps imprinted with a campaign slogan;

c. Tuition payments, unless specifically stated as training of campaign staff to perform campaign tasks;

d. Funeral, cremation and burial expenses unless the expenses are used for a candidate, employee, or volunteer of an authorized committee whose death arises out of, or in the course of, campaign activity;

e. Rent and utility payments which are specifically disclosed as payments for the candidate's personal residence (e.g., "electric bill for candidate's home"), even if part of the residence is being used by the campaign;

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SENSITIVE

f. Salary payments which are made to apparent members of the candidate's family (i.e., individuals sharing the candidate's surname) or salary payments expressly reported as being to members of the candidate's family (e.g., "salary to the candidate's sister") and, as reported, evidently exceed the fair market value of bona fide services rendered to the campaign.

g. Food items for day-to-day consumption in the home and supplies purchased to maintain the household that are specifically reported for a purpose other than fundraising activities and/or refreshments for campaign meetings (e.g., "groceries for candidate's family," "supplies for candidate's home");

h. Entertainment, such as sporting events, concerts and theater, which are specifically reported as being for a purpose other than campaign or office holder activity (e.g., "football tickets for candidate and his son"); and

i. Dues, fees, and gratuities, such as payments to a country club, health club, recreational facility or other nonpolitical organization, which are not reported as being associated with fundraising or a fundraising event. Thus, "health club membership for candidate" is not acceptable, whereas "fundraiser at health club" is acceptable. This excludes any payments to an organization that may offer political contacts, such as a community or civic organization. Thus, "Rotary Club dues for candidate" or "Lion's Club dues for candidate" are acceptable.

j. Salaries paid to the candidate <u>by the PCC</u> become personal use of campaign funds when:
   - The salary exceeds the annual salary for the federal office sought.
   - Salary is not made on a pro-rata basis. If a candidate loses the primary election or withdraws prior to the general election, he or she must not continue to receive salary payments.
   - Payments are made to incumbent federal officeholders.
   - Payments are made before the filing deadline for access to the primary election ballot.

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SENSITIVE

k. Contributions received on or before the day of election can be used to repay all candidate personal fund loans provided the loans are repaid within 20 days of the appropriate election. Contributions received after the applicable election may only be used to repay candidate personal fund loans up to $250,000. Attempts to repay candidate loans that aggregate in excess of $250,000 past the 20 day deadline; will result in an impermissible personal use of campaign funds by the candidate.

Legal, meal, travel, vehicle and mixed-use expenses will not be questioned under this standard, unless specifically reported for a use that is personal.

Any other RFAI regarding Per Se Personal Use will be sent in consultation with the Authorized Branch Chief.

Assessment of Audit Points:

[redacted] will be assessed per reporting period if the committee does not respond or responds inadequately to an RFAI.

Referral to ADRO:

A committee may be referred to ADRO in cases where the committee does not respond or inadequately responds to an RFAI and the entries which include Per Se Personal Use, exceed [redacted] per report and the matter(s) in question has been subject to the OGC Review and Concurrence Process.

Referral to OGC:

Referrals will be handled by OGC for the apparent violations noted above in "Referral to ADRO" when a determination has been made during the OGC Review and Concurrence Process that the matter(s) in question is better suited for standard processing in OGC.

There will be no referrals made to OGC under this Standard for Title 26 Committees.

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For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

Standard 27: Expenditures in Excess of the Overall and/or State Limits

(This Standard does not apply to Title 52 Authorized or Unauthorized Committees)

Notices Sent:

An RFAI will be sent when a state limit or the overall limit has been exceeded by an amount in excess of [redacted].

Applying This Standard:

A statement regarding refunds, rebates, or returns of deposit owed to the committee relevant to the state(s) in question will be considered adequate.

Assessment of Audit Points:

[redacted] are assessed under this standard.

Referral to ADRO:

[redacted].

Referral to OGC:

[redacted].

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nor does it create substantive or procedural rights.
For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

Standard 28: Administrative Expenses

(This Standard does not apply to Title 52 Authorized or Title 26 Authorized Committees)

***Notices Sent*:**

A notice will not be sent to a Separate Segregated Fund, since such costs can be paid by its connected organization.

A notice will not be sent to Nonconnected PACs due to the *EMILY's List* decision. A reassessment will be made subsequent to a rulemaking in response to this decision.

An RFAI will be sent if a report discloses in excess of [redacted] in total disbursements during a reporting period, and no/limited administrative expenses (utilities, rent and salaries) have been itemized. If a report does not disclose payments for rent, salary and utilities, reports filed to date by the committee for the calendar year will be analyzed to determine if there is sufficient disclosure of administrative expenses. Payments to a consulting, law or accounting firms will be considered acceptable for salary.

For Monthly filers, the assessment of Administrative Expenses will be based on the activity of [redacted] reports filed, beginning with the [redacted] Monthly Report. During an election year, the assessment will be based on the combined activity on the [redacted] Reports.

If debts are incurred during the period for administrative expenses, this will negate the sending of a notice. However, if debts are incurred to the non-federal account for administrative expenses, this will be handled in accordance with Standard 13. If debts are incurred to a Levin account for Administrative expenses, this will be handled under Standard 12.

A committee whose response to an RFAI indicates that it operates on a volunteer basis, operates out of a home and/or its administrative expense payments are minimal, will not be questioned for the remainder of the election cycle.

If a committee with Allocated Federal and Non-Federal activity provides limited or no administrative expenses, it will be handled under Standard 13. The lack of salary payments on

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SENSITIVE

Schedule B for Line 30(b) for State, District & Local Party Committees will be addressed under Standard 12.

***Audit Point Assessment*:**

[redacted] will be assessed per reporting period if a committee does not respond or inadequately responds to an RFAI.

***Referral to ADRO*:**

A referral to ADRO will be prepared if a committee does not respond or inadequately responds and the total disbursements (Line 31, Column A) aggregate in excess of [redacted] and less than or equal to $500,000 per quarterly report or combined activity of three monthly reports.

***Referral to OGC*:**

A referral to OGC will be prepared if a committee does not respond or inadequately responds to an RFAI and the total disbursements (Line 31, Column A) aggregate in excess of [redacted].

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nor does it create substantive or procedural rights.
For more information, see http://www.fec.gov/law/procedural_materials.shtml.
SENSITIVE

Standard 29: Terminating Committees

Notices Sent/ Applying this Standard:

Committees that file a Termination Report will be subject to a termination review as noted below. If a committee files a Termination Report and has other reports that have not yet been reviewed, the analyst's review of prior reports will be limited to the termination review criteria.

An RFAI will be sent if a termination report discloses outstanding debts/loans or residual funds (without a statement concerning the disposition of residual funds) in excess of [redacted]. The RFAI will advise the committee that they must continue to file reports until the requirements of 11 CFR §102.3 have been satisfied. If there are no other outstanding issues, the committee could be subject to the Administrative Termination policy and procedures.

If a committee attempts to terminate with residual funds or outstanding debts/loans (excluding all candidate debts/loans for Authorized Committees) in excess of [redacted] and does not file its next report(s), the committee will be handled through the non-filing process under Standard 4.

Termination Review

Standard 5 – Excessive, Prohibited and Other Impermissible Contributions/Transfers

Violations during the current election cycle meeting the RFAI threshold, where a refund, reimbursement, or transfer-out (for Unauthorized Committees) should have been, but was never issued, will be treated as a debt and aggregated towards the in excess of [redacted] threshold for outstanding loans/debts.

Violations during the current election cycle meeting the RFAI threshold, where the committee does not disclose receiving a refund or reimbursement, will be treated as residual funds and aggregated with the committee's cash-on- hand balance towards the in excess of [redacted] threshold. Disputed debts will be counted toward the committee's outstanding debts and obligations.

Standard 6 – Mathematical Discrepancies in excess of [redacted]:

Limit review for: (1) any Admin Fines, ADRO and OGC referable violations, and (2)

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discrepancies affecting cash-on-hand or loans/debts balance, including but not limited to:

- Column A discrepancies – Schedule(s) greater than the line amount on the Summary Page or Detailed Summary Page;
- Discrepancies within Schedules that affect cash on hand and/or loans/debts balance;
- Column A errors in subtotal and total lines;
- Overlapping coverage dates causing the same activity to be reported more than once;
- Gap in coverage dates between reports;
- Discrepancies between ending and beginning cash-on-hand;
- Incorrect disclosure of invested funds resulting in cash-on-hand errors;
- Incorrect disclosure of coordinated expenditures made by party committees resulting in cash-on-hand errors (Authorized Committees); and
- Inclusion of memo entries into Column A totals.

Standard 7 – Failure to Provide Supporting Schedules in excess of [redacted]:

Limit to review for: (1) any ADRO and OGC referable violations, and (2) problems affecting cash-on-hand or loans/debts balance, including, but not limited to:

- Missing or insufficient Schedule(s) A, B, C, D and for Unauthorized Committees only, E and F;
- Initial cash balance on the first report filed by the committee; and
- Negative ending cash-on-hand

Standard 8 – Failure to Properly Itemize Missing Contributions from Individuals

Limit to review for any ADRO and OGC referable violations.

Standard 11 – Failure to Properly Itemize Disbursements

Limit to review for any ADRO and OGC referable violations.

Standard 12 – Federal Election Activity/Levin Funds (Unauthorized Committees)

Limit to review for: (1) any ADRO and OGC referable violations, and (2) problems affecting cash-on-hand balance or loans/debts balance, including, but not limited to:

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- Missing or insufficient Schedule(s) H5, H6, L-A and L-B
- Failure to transfer-out excessive or prohibited amount received from Levin/non-federal account

Standard 13 – Allocated Federal and Non-Federal Activity (Unauthorized Committees)

Limit to review for: (1) any ADRO and OGC referable violations, and (2) problems affecting cash-on-hand balance or loans/debts balance, including, but not limited to:

- Missing or insufficient Schedule(s) H3 and H4
- Failure to transfer-out excessive or prohibited amount received from non-federal account

Standard 14 – Independent Expenditure Reporting Problems (Unauthorized Committees - Form 3X Filers)
Limit to review for any ADRO and OGC referable violations.

Standard 15 – Coordinated Expenditure Reporting Problems (Unauthorized Committees)
Limit to review for any ADRO and OGC referable violations.

Standard 16 – Failure to Properly Itemize Loans

Limit to review for any ADRO and OGC referable violations.

Standard 23 – Bundling Reporting Problems (Form 3L)
Limit to review for any ADRO and OGC referable violations.

Standard 26 – Personal Use of Campaign Funds (Authorized Committees)

Standard 28 – Administrative Expenses (Unauthorized Committees)
Limit to review for any ADRO and OGC referable violations.

Standard 30 – Other Violations of the Federal Election Campaign Act

Prior Reports with Outstanding Issues

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An RFAI will be sent if a termination report is filed, but previous problems exist on prior reports that have not been corrected or clarified and are ADRO[40]/OGC referable[41], or if not corrected, would cause the committee to have residual funds or debts/loans in excess of [redacted]

Outstanding Standard 5 violations and for Unauthorized Committees, Standard 12 and 13 violations meeting the RFAI threshold where a refund or transfer-out should have been, but was never issued, will be treated as a debt and aggregated towards the in excess of [redacted] threshold for outstanding loans/debts. In addition, outstanding Standard 5 violations meeting the RFAI threshold where the committee does not disclose receiving a refund or reimbursement, will be treated as residual funds and aggregated with the committee's cash-on-hand balance towards the in excess of [redacted] threshold.

Outstanding Standard 5 and for Authorized Committees, Standard 26 violations meeting the RFAI threshold where the committee does not disclose receiving a refund or reimbursement, will be treated as residual funds and aggregated with the committee's cash-on-hand balance towards the in excess of [redacted] threshold.

The notice will be sent on the Termination Report to advise the committee that they must continue to file reports until all questions raised have been responded to.

Termination Criteria

If a committee has no outstanding issues with the Commission and files a Termination Report disclosing: (1) no outstanding loans or debts and no residual funds, or (2) outstanding loans or debts of [redacted] or less, or residual funds of [redacted] or less, a termination notice (MS-K) will be sent which states that the committee's future reporting requirement has been terminated. For Authorized Committees, this applies only to loans or debts from a source other than the candidate.

If a terminating Authorized Committee has outstanding loans or debts in any amount, owed to the candidate, a modified MS-K re: loan forgiveness will be sent. The modified MS-K will

40 [redacted]

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instruct the committee to file a letter signed by the candidate stating that the loans/debts are forgiven (see "Authorized Committees" section below).

Outstanding Matters in Other Divisions

If a committee that files a termination report and is involved in the Administrative Fines process or has other outstanding issues (i.e.; MUR, eligible for/ongoing audit or ADR), RAD will coordinate with the appropriate division so a letter may be sent to the committee notifying them they must continue to file reports until notified by the FEC and until the matter(s) has been resolved. If a committee may be eligible for audit, but a decision to refer has not been made, a notice denying termination while the Commission makes a determination about whether or not to pursue the matter will be sent by the RAD analyst.

A committee that files a termination report will not be included in the Administrative Fine Program (AFP) when:

- the report is filed late but is otherwise satisfactory, thus permitting RAD to terminate the committee; or

- the report is filed late and has issues for which an RFAI is required, but the issues would not prevent RAD from terminating the committee if ultimately not resolved. Any subsequent reports required to be filed during the RFAI response time period also will not be included in the AFP.

The above will apply only when the committee's report is received prior to RAD circulating its Administrative Fine reason to believe (RTB) recommendation. If the report has not been filed prior to RTB, the committee will be included in the program.

Authorized Committees

If a committee files a termination report with only outstanding candidate debts and/or candidate loan(s), the candidate states that he/she is forgiving these obligations and the committee has no other outstanding matters with the Commission, a notice (MS-K) will be sent to the committee

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advising them that their filing requirement has been terminated.

If a committee files a termination report with only outstanding candidate debts and/or candidate loan(s), a notice (modified MS-K) will be sent which states that the committee's future filing requirement has been terminated. The notice will also request that the candidate submit a signed, written statement forgiving all debts and/or candidate loan(s) in lieu of a Debt Settlement Plan. The notice will request a signed, written statement even if the committee files electronically except in the case where the candidate and the treasurer are the same person.

Assessment of Audit Points:

[redacted] points will be assessed under this Standard.

Referral to ADRO:

[redacted].

Referral to OGC:

See Administrative Termination Section.

Administrative Termination

General

Administrative Termination (AT) is the action taken by the Commission to terminate the **reporting** obligations of political committees that appear to be inactive. Administrative Termination does not relieve a committee of any legal responsibility for the payment of any outstanding debt or obligations. RAD will send an Administrative Termination Letter (MS-F) to those committees identified for AT action. Committees that are **not** subject to the OGC, Audit Division or ADR referral provisions of the standards contained in this policy may be examined for administrative termination if:

- a committee that has filed reports but does not respond to at least [redacted] non-filer notices or such notices have been returned by the US Postal Service as not deliverable or the emails have bounced, or

- a committee has registered with the FEC but did not file the report that was due following the registration date, or

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- a committee appears to be filing reports solely for the purpose of reporting outstanding debts and the committee has reported the same debt and cash on hand information for one year.

A committee will not be considered for administrative termination if there is a pending or outstanding compliance or audit action. Normally, a committee will not be considered for administrative termination if it is involved in the Administrative Fine Program. However, a committee may be considered for administrative termination, if the committee's debt has been transferred to the Department of Treasury and the committee has discontinued the filing of required Commission reports.

Administrative Termination by RAD

RAD may administratively terminate –

- a committee that has filed reports but does not respond to at least [redacted] non-filer notices or such notices have been returned by the US Postal Service as not deliverable or the emails have bounced, or

- a committee has registered with the FEC but did not file the report that was due following the registration date, or

- a committee that has not filed reports for [redacted] and its cash on hand does not exceed [redacted] and it meets the age/debt/obligation amounts outlined in Table 1-1; or

- a committee that has reported the same debt and cash on hand[42] information for a period of [redacted] and its assets (cash on hand and debts owed to the committee) minus total debt and obligations do not exceed [redacted]. The committee must also meet the age and debt/obligation amounts outlined in Table 1-1.

Administrative Termination Referral to OGC-Compliance Advice Team

RAD may refer to OGC –

[42] Minor administrative expenses, such as regular bank fees incurred to maintain the committee's bank account, would not preclude the committee from possible administrative termination.

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- a committee that has not filed reports for [redacted], if its cash on hand exceeds [redacted] but not more than [redacted] and it meets the age and debt/obligation amounts in Table 1-1 (committees that have not filed reports for [redacted] and have cash on hand exceeding [redacted] will be referred to OGC under Standard 4); or

- a committee that has reported the same debt and cash on hand information for a period of [redacted] if its cash on hand and debts owed to the committee exceeds the total debts and obligations owed by the committee in excess of [redacted] and it meets the age and debt/obligation amounts in Table 1-1. Please note, when a concern exists that a committee's outstanding debts and obligations appear to present a possible violation of the prohibitions and limitations of 11 CFR parts 110 and 114, RAD should consult with OGC concerning the appropriateness of a referral.

Table 1-1

The following Age/Debt Table will be used in determining whether an Administrative Termination can be initiated by RAD.

AGE*	DEBT THRESHOLD +
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]

*AGE will be determined from the date of the election in which the candidate last participated for Authorized committees.

*AGE will be determined from the date of the last debt incurred for Unauthorized committees.

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+ Debt totals do not include debts owed to the candidate or loans to the committee from the candidate's personal funds (Authorized committees)

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Standard 30: Other Violations of the Federal Election Campaign Act

Notices Sent:

Notwithstanding the aforementioned Standards, an RFAI will be sent subject to the approval of the Assistant Staff Director for RAD, where there may be serious violations of the Federal Election Campaign Act or the Commission's Regulations.

An RFAI will be sent if a report discloses an unauthorized or otherwise irregular receipt or disbursement of committee funds in excess of [redacted].

Assessment of Audit Points:

Point assessment will be made at the discretion of the Assistant Staff Director for RAD.

Referral to ADRO:

A referral to ADRO may be made for [redacted] when the matter has been subject to the OGC Review and Concurrence Process.

Referral to OGC:

A referral to OGC will be prepared if a committee does not respond or submits an inadequate response to an RFAI.

RAD will consult with OGC concerning the appropriateness of a referral when a [redacted] and a determination has been made during the OGC Review and Concurrence Process that the matter in question is better suited for standard processing in OGC.

RAD will also have the discretion to consult with OGC concerning the appropriateness of a referral when a [redacted], and a determination has been made during the OGC Review and Concurrence Process that the matter in question is better suited for standard processing in OGC.

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Title 26 Presidential Committees

RAD will consult with the Audit Division and OGC regarding an appropriate course of action. The consultation will take place at the time the RFAI is circulated to Audit and OGC. If a response to the RFAI is not received, is inadequate, or admits to the violation, the three divisions will jointly decide whether or not to refer the committee to the Commission prior to the commencement of the mandatory audit.