**Chapter 43, THE VERIFICATION PROCESS, of Title 3 DCMR, ELECTIONS AND ETHICS, is added in its entirety to read as follows:**

**CHAPTER 43 THE VERIFICATION PROCESS**

**4300 THE VERIFICATION PROCESS**

**4301 DISCLOSURE STATEMENTS**

**4302 SUPPORTING DOCUMENTATION**

**4303 CONTRIBUTION CARDS**

**4304 CREDIT CARDS**

**4305 INVALID CLAIMS**

**4306 AFFIRMATION REQUIREMENTS**

**4307 DISPOSITION OF PUBLIC FINANCING EQUIPMENT**

**4300 THE VERIFICATION PROCESS**

4300.1 The provisions of this chapter shall govern the verification process of contributions received by committees of candidates seeking to participate, and certified to participate in the public financing program.

4300.2 The Fair Election Division is tasked with reviewing disclosure statements filed by campaigns. The unit has created a verification process that is used during the review of disclosure statements.

4300.3 The verification process is used to uncover instances of noncompliance with the Fair Elections Amendment Act of 2018. The process detects possible fraud and prevents improper payment of public funds.

**4301 DISCLOSURE STATEMENTS**

4301.1 Disclosure statements shall include (1) a report of the campaign’s transactions during the reporting period; and (2) documentation of the activity.

4301.2 Statement reviews shall be conducted to uncover non-compliance. The scope of statement reviews shall include the review of all contributions.

4301.3 Payment reviews shall be conducted with the objective of validating claims for matching funds. The scope of payment reviews shall include the examination of all contributions claimed for matching funds and the review of reports and documentation submitted by committees.

4301.4 The criteria for validating the matching payments for the qualified small dollar contributions of individual District residents include:

1. The contribution was reported correctly, completely and timely;
2. The contribution was from a permissible source;
3. The contribution was properly and completely documented;
4. The contribution was compliant with applicable limits; and
5. No other issues have been detected.

4301.5 If a contribution claimed for matching is invalid for any of the reasons listed in § 4301.4, an invalid code is applied.

4301.6 A campaign shall only be paid for valid matching claims.

**4302** **SUPPORTING DOCUMENTATION**

4302.1 The payment review process includes the review of reports and documentation submitted by committees. The documentation supports claims for public matching funds; documentation includes copies of cancelled checks, contribution cards (the signed receipt and Affidavit of the contributor), credit card processing documents, and bank statements and deposit slips.

4302.2 The initial review of reports and accompanying documentation is to validate payment requests. A second level review is completed and initial reviewer comments are addressed.

4302.3 The required documentation of payment by instrument type; must include:

1. Check – copy of cancelled check and contribution card;
2. Cash – copy of contribution card;
3. Money Order – copy of money order and contribution card;
4. Credit Card processed online – copy of processing documentation and contribution card information; and
5. Credit Card processed by the Campaign – copy of credit card contribution card and card processing documentation.

4302.4 If the check is a starter check, and the signature does not appear to be the reported contributor name, the committee will be required to submit a contribution card. A contribution card is also required for contributions made by e-check. Bank/cashier’s/certified checks are to be treated as regular checks.

4302.5 The Office of Campaign Finance will also verify the receipt by the candidate and principal campaign committee of each qualified small dollar contribution from a District resident individual through the examination of cancelled checks, and the committee bank statements and deposit slips for the coverage period of the reported transaction.

4302.6 The claim for matching funds will not be matched where the examination of the cancelled checks, committee bank statements and deposit slips did not verify the actual receipt by deposit of the qualified small dollar contribution from a District resident individual.

**4303 CONTRIBUTION CARDS**

4303.1 The required Elements of a contribution card (receipt and affirmation of the contributor), include:

1. The Committee Name;
2. The Instrument Code;
3. The dedicated place for contributor name and address;
4. The dedicated place for contributor employer and occupation information;
5. The affirmation statement; and
6. The dedicated place for signature and date.

**4304** **CREDIT CARDS**

4304.1 The required Elements for documentation of a credit card transaction include:

1. The contribution card, if necessary , where the information detailed in § 4303.1 of this section is not requested in the credit card transaction;
2. The correct credit card affirmation statement (either online webpage affirmation or signed contribution card);
3. The “Approved” or “Settled Successfully” notation;
4. Street and Zip Code match;
5. The last 4 digits of the credit card number; and
6. The merchant account name is the name of the committee or the campaign has provided documentation to link the two together.

4304.2 The committee must provide a contribution card for credit card contributions that are processed manually

4304.3 Contribution cards are not required for credit card contributions made online where the information detailed in § 4303.1 of this chapter is included in the credit card transaction.

**4305** **INVALID CLAIMS**

4305.1 Claims for matching funds will not be approved if:

1. The contribution is from an impermissible Source;
2. The contribution is not properly documented;
3. The contribution is improperly Reported
4. The contribution exceeds the contribution limits;
5. The contribution is not from an individual; or
6. The individual contributor is not a resident of the District of Columbia.

**4306**  **AFFIRMATION REQUIREMENTS**

4306.1 The contributor must sign a Receipt and Affirmation Statement Form as prescribed by the Fair Elections Program.

4306.2 Claims for matching funds will not be matched if the affirmation statement is not included in the receipt of the contributor.

4306.3 Claims for matching funds will not be matched if the affirmation statement is not included in the campaign’s website where credit card contributions are processed online.

4306.4 Claims for matching funds will not be matched when the affirmation statement deviates from the exact prescribed language.

4306.5 Contributions made by check, cash, money order or credit cards processed by a campaign committee require the contributor’s physical or digital signature if the contribution is collected on a digital or online platform.

**4307 DISPOSITION OF PUBLIC FINANCING EQUIPMENT**

4307.1 All equipment purchased with matching funds must be returned to the Office of Campaign Finance within sixty (60) days after a General or Special Election in an election cycle for which a participating candidate was on the ballot. Equipment is defined as any furniture or electronic or battery powered equipment purchased by a participating candidate’s campaign that costs at least $50.

4307.2 The Office of Campaign Finance shall enlist the services of the Department of General Services to store, provide an inventory of returned equipment and transmit the proceeds from any sales arising from the inventory to the Fair Election Fund. In the alternative, the Department of General Services shall facilitate the donation of the returned equipment to the District of Columbia Public Schools, a public university or public college in the District of Columbia, or a charitable organization or a non-profit organization that has been in good standing in the District of Columbia for at least one year preceding the receipt of the donation.