

Availability of FEC Information¹

Federal Election Commission

Published in July 1999

Some information presented in this publication has been modified by the Bipartisan Campaign Reform Act of 2002 (BCRA). An updated version of this publication will be available at a later date. In the interim, please visit the FEC's BCRA page for additional information.

Introduction

Disseminating information to the public is among the principal functions of the Federal Election Commission. As the agency established to administer and enforce the federal election laws, the Commission makes public a wealth of statistical and informational materials concerning the financing of federal elections. These materials fall within five general categories:

1. Campaign Finance Data;
2. Official Legal Documents;
3. Summaries of Federal Election Laws and Cases;
4. Commissioners and FEC Operations; and
5. Election Administration.

Most of these materials are available free to the public, without a Freedom of Information Act (FOIA) request or other paperwork.

The public availability of these materials serves two main purposes:

1. Public scrutiny of campaign finance data encourages the regulated community to comply with the law and helps ensure an informed electorate; and
2. The informational materials help the public and the regulated community understand the law and the Commission's responsibilities.

Part One of this brochure identifies the specific information available within each of the five categories, listed above. Part Two describes the methods for obtaining the information, including a description of the agency's FOIA procedures. A comprehensive chart on pages 8-10 of the brochure, combines parts one and two, so that readers can determine--at a glance--how to obtain the information they seek.



Part One: What's Available from the FEC

Unless otherwise indicated, all of the materials listed within the categories below are available free to the public, without an FOIA request or other paperwork. Note, however, that the Commission's Public Records Office does charge 5¢ per page for photocopies. For more information on how to obtain materials, see Part Two of this brochure.

¹ This brochure is being published in compliance with 5 USC §552(g).

Campaign Finance Data

Reports

The FEC makes public all reports filed by candidates for federal office and by the party committees and political action committees (PACs) that support them. Any document filed with the FEC is available for review within 48 hours of receipt.

Computer Indexes

When candidates and political committees submit their campaign finance reports, FEC staff members enter information from those reports into the agency's main computer. The different categories of information or financial transactions are organized into indexes on the computer, and the public may retrieve information about one or more candidates or committees through these indexes and conduct individual contributor searches.



Press Releases

During an election year the Commission periodically compiles summaries of campaign finance activity in press releases.

RECORD Newsletter

The Commission's monthly newsletter often features articles and graphs that track campaign finance data.

Official Legal Documents

The Commission makes public virtually all of its official legal documents. The list below offers a sampling of the documents that are readily available to the public.

Federal Election Campaign Laws

This volume is a complete compilation of federal election campaign laws: the Federal Election Campaign Act of 1971, as amended, the Primary Matching Payment Act and the Presidential Election Campaign Fund Act, as codified in titles 2 and 26 of the United States Code; statutory provisions that are not under the Commission's jurisdiction but are

relevant to persons involved with federal elections; and a subject index to titles 2 and 26 prepared by the FEC.

FEC Regulations

FEC regulations appear in title 11 of the *Code of Federal Regulations*. Subject indexes prepared by FEC staff are included. Documents relating to the rulemaking process--e.g., agenda documents, notices of proposed rulemaking, public comments, hearing transcripts and the FEC's Explanation and Justification (accompanying each regulation) are also available from the Commission.

Enforcement Matters (MURs)

The Commission is required by law to keep its enforcement matters (matters under review or MURs) confidential until they are closed. Once a matter is closed, the case file is made public within 30 days after the parties involved have been notified that the entire matter has been resolved.

Advisory Opinions

Advisory opinions (AOs) are rulings issued by the Commission in response to written requests describing proposed campaign finance activities. An AO may be relied upon for legal guidance by the requester and by any other person involved in a materially indistinguishable activity.

Litigation

Official court documents related to FEC litigation cases are available from the Commission.

Audits

The Commission audits all committees that participate in the Presidential public funding program, and may audit other committees for cause. The findings of these audits are made public.

Federal Register Notices

The Commission publishes regulatory notices and other information in the *Federal Register* and makes copies of the notices available to the public.

Forms

All FEC registration and reporting forms are available from the agency.

Legislative Recommendations

As required under the FECA, the Commission annually submits to Congress recommendations for legislative change.

Summaries of Federal Election Laws and Cases

In addition to the official legal documents described above, the Commission produces a variety of publications that summarize and explain election laws and cases. The list below offers a sampling of those publications.

Campaign Guides

The Commission publishes a series of Campaign Guides tailored to meet the needs of the various types of committees required to register and report with the FEC. The Guides summarize the legal requirements that apply and provide samples of completed registration and reporting forms.

Brochures

The Commission publishes a number of informational brochures on specific election law topics.

Court Case Abstracts

The Commission compiles summaries of litigation involving the agency and/or the federal election law.

RECORD Newsletter

The FEC's award-winning monthly newsletter keeps committees and other interested persons informed of all Commission-related news. It summarizes reporting requirements, advisory opinions, litigation, new regulations, legislation, statistics and compliance actions.

Annual Report

The Commission's Annual Report to the President and the Congress describes the agency's activities during the year. The report summarizes regulations, advisory opinions, audits, enforcement matters and litigation and explains new developments in the administration of the election law, including Presidential elections. Commission recommendations for legislative changes are included.

Commissioners and FEC Operations

Some of the publications described in the preceding section also address FEC operations. The list below offers a sampling of the publications that include information on the FEC's Commissioners and the agency's administrative matters.

RECORD Newsletter

Published as a binder insert, this monthly newsletter is the primary source of information on Commission activity. It covers Commission decisions in advisory opinions, litigation, regulations and compliance; *Federal Register* notices; FEC procedures and staff developments; and the release of new FEC publications.

Annual Report

The Commission's Annual Report to the President and the Congress includes sections on the agency's budget and administrative matters.

The FEC and the Federal Campaign Finance Law

This brochure gives an overview of the Commission's role in administering the Federal Election Campaign Act. The brochure is also available in Spanish.

Twenty Year Report

Published in 1995 to commemorate the FEC's twentieth anniversary, the Twenty Year Report provides a snapshot of the agency, its operations and key issues the agency has addressed.

Biographies of Commissioners

The FEC's Press Office prepares biographies of the agency's current Commissioners for distribution to the media and the general public.

Inspector General Reports

Semiannual reports prepared by the Commission's Office of Inspector General (OIG)² notify Congress of any serious problems or deficiencies in agency operations and of any corrective steps taken by the agency. These semiannual reports--as well as the audit documents upon which they are based--are available to the public.

Election Administration Information

National Voter Registration Act (Motor Voter Law)

The FEC's Office of Election Administration oversees implementation of the National Voter Registration Act--the so-called "motor voter" law--and provides information on voter registration.

Election Administration Publications

The FEC's Office of Election Administration publishes a variety of publications concerning the administrative aspects of elections. These include publications on ballot access requirements, voting systems and the electoral college.

Materials Available Under FOIA

The FEC routinely makes many of its documents and records available to the public. Records which are not routinely made public may be requested under the Freedom of Information Act (FOIA). Any records, or portions of records, which are not exempt under that statute will be disclosed to the requester. All FOIA requests, and agency responses to those requests, are indexed and maintained in the FEC Press Office where they are available for review and copying. Requests and responses of a more general interest will be made available on the FEC's web site.

² The OIG conducts internal audits and investigations to detect fraud, waste and abuse within the agency.

Part Two: How to Obtain Information

As a full-disclosure agency, the Commission is very accessible to the public. Interested persons may obtain information from the FEC in person, over the phone, in writing, by fax or via computer. Most information is readily available and does not require a Freedom of Information Act (FOIA) request.

Visiting the FEC

The FEC's Public Records Office, Press Office, Information Division and Law Library are all open to the public. Trained staff are available in each office to help visitors access information and answer questions about the federal election law or campaign finance disclosure.

Telephone: Local and Toll Free

Callers can contact the Commission at 202/694-1100. For those outside the Washington, DC, area, the Commission's toll-free information line (800/424-9530) is an easy way to access FEC resources. Staff in the Commission's Information Division respond to election law questions, reports analysts assist committees with reporting questions and Public Records staff help callers obtain campaign finance data.

Automated Faxline

Individuals requiring quick access to FEC documents may wish to use the agency's automated Faxline (202/501-3413). Using a touch-tone phone, callers can request that specific documents be faxed to them. Users may request a menu of available documents to help them identify the materials they need.

Computer Access

Internet Web Page

The Commission's worldwide web home page (www.fec.gov) is the agency's most rapidly expanding information resource. Many of the reports and documents described in Part 1 of this brochure are available on the Commission's web site, including publications, forms and campaign finance data. Visitors to the web site can view images of the actual reports filed by candidates, parties and PACs.³

Direct Access Program and State Access Program

In addition to its web site, the FEC offers an on-line Direct Access Program (DAP) to enable the public to research computerized FEC information from home and office computers.



³ Reports for Senate candidates are filed with the Secretary of the Senate.

Subscribers are charged \$20 per hour for this service (representing the cost paid by the FEC to its contractor). Users throughout the country can dial a local phone number for on-line access.

DAP subscribers can use their own communications software for access. The system supports standard modem transmission speeds. For more information, contact the FEC's Data Systems Division at 800-424-9530 or 202-694-1250 (locally). Reporters should contact the Press Office at 800-424-9530 or 202-694-1220 (locally).

Access from State Records Offices

Many state capitals offer the public direct on-line access to all of the FEC's computerized services via terminals set up in their state records offices (usually operated by the Secretary of State). There is no charge for this service, but it is not yet available in all 50 states. Contact the Public Records Office to find out whether computer access is available in your state capital. Phone, toll-free, 800/424-9530 or, locally, 202/694-1120.

Access at the FEC

Several computer terminals and printers are available in the Public Records Office for public use. Visitors can access the Commission's campaign finance database, advisory opinions, enforcement matters, images of reports and more.

Visiting State Offices

Candidates must file copies of their FEC reports in their home state capitals at the same time that they file in Washington, D.C. PACs and party committees must also file copies of their FEC reports in their home states and in states where they have supported candidates. Each state makes these documents available for public review and copying.

Copying fees vary from state to state.

A directory of state filing offices is available free of charge from the FEC's Public Records Office.

Freedom of Information Act (FOIA) Request

As this brochure makes clear, most FEC documents are readily available to the public without an FOIA request. Requests for items available only through FOIA should be addressed to the FOIA Officer, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463.⁴ Under FOIA, the agency must respond within twenty working days. The requester may appeal any adverse FOIA determination to the full Commission. Additional details on the Commission's FOIA procedures may be found in FEC Regulations at 11 CFR Part 4.

⁴ Requests for materials from the Office of Inspector General-both FOIA and non-FOIA-should be addressed to: FEC Office of Inspector General, 999 E Street, N.W., Washington, D.C. 20463.

Chart: Availability of FEC Information

The chart that follows provides a quick reference to the availability of various Commission resources--none of which requires an FOIA request.

Information	Visiting FEC	Telephone	Faxline	Internet	Direct Access Program	Visiting State Elections Office
Campaign Finance Data:						
Candidate Reports	PRec	PRec		✓	Summary	✓
Communications Costs Index	PRec	PRec				
Contributor Search System	PRec	PRec		✓	✓	✓**
Independent Expenditure Index	PRec	PRec		✓*		
Multicandidate Committee Index	PRec	PRec				
PAC, Party Reports	PRec	PRec		✓	Summary	✓
Presidential Address List	PRec	PRec				
Soft Money Contributor Listing	PRec	PRec		✓*		
Sponsor/Committee Index - Identifies PAC Sponsors	PRec	PRec		✓*		
Statistical News Releases	Press/PRec	Press/PRec	✓	✓	✓	✓**
A Index - Candidate Addresses	PRec	PRec		✓*		
B Index - All Committee Addresses (By State/Type)	PRec	PRec		✓*		
C Index - Index of Disclosure Documents	PRec	PRec		✓	✓	✓**
D Index - Candidates Supported/Opposed	PRec	PRec		✓	✓	✓**
E Index - Candidate Index of Supporting Documents	PRec	PRec		✓	✓	✓**
G Index - Individual Contributors to Committee	PRec	PRec		✓	✓	✓**
K Index - Committee Summary Report	PRec	PRec			✓	✓**
L Index - Campaign Summary Report	PRec	PRec			✓	✓**
83 Index - Committee ID	PRec	PRec		✓	✓	✓**
93 Index - Candidate and Committee Addresses	PRec	PRec		✓*		
409 Index - Receipt/Disbursement Totals by Committee	PRec	PRec				
933 Index - Receipt/Disbursement Rankings by Amount	PRec	PRec				

Abbreviations Key:

Info = Information Division
 Lib = FEC Law Library
 OEA = Office of Election Administration
 OIG = Office of Inspector General
 PRec = Public Records Office

* The data used to create these indices and reports is available on the FEC's web site.
 ** Thirty-five state offices participate in the State Access Program.

Availability of FEC Information Brochure

Information	Visiting FEC	Telephone	Faxline	Internet	Direct Access Program	Visiting State Elections Office
Official Legal Documents:						
Advisory Opinions (AOs)	PRec	PRec	1990-Present	✓	1976-Present	✓**
Agenda Documents, Minutes for Commission Mtgs	PRec	PRec				
Audit Reports	PRec	PRec/Press				
Closed Enforcement Cases (MURs)	PRec	PRec/Press				
Code of Federal Regulations (11 CFR)	Info/PRec	Info	✓			
Commission Memoranda, Bulletins, Directives	PRec	PRec				
Court Cases (Litigation Documents)	Press	Press				
Documents re. Rulemakings/Hearings	PRec	PRec	Selected	✓ Selected		
Explanation & Justification: FEC Regulations	PRec	PRec/Info				
Federal Election Campaign Act	Info/PRec	Info	✓			
Federal Register Notices	PRec	PRec	✓ Selected			
Legislative History	Lib/PRec	PRec/Info				
Sunshine Act Notices	PRec	PRec				
Summaries of Federal Election Laws/Cases:						
Annual Report	Info/PRec	Info		✓		
Brochures	Info/PRec	Info	✓	✓		
Campaign Guides	Info/PRec	Info		✓		
Court Case Abstracts	Info/PRec	Info		✓	✓	
Presidential Public Funding Program Report	PRec	PRec		✓		
Record (newsletter)	Info/PRec	Info		✓		
Twenty Year Report	Info/PRec	Info/PRec		✓		

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Information	Visiting FEC	Telephone	Faxline	Internet	Direct Access Program	Visiting State Elections Office
Commissioners and FEC Operations:						
Annual Report	Info/PRec	Info/PRec		✓		
Biographies of Commissioners	Press	Press	✓	✓		
Inspector General Reports	OIG	OIG		✓		
Legislative Recommendations	Info	Info	✓	✓		
Record (newsletter)	Info/PRec	Info		✓		
Reporting Forms	Info	Info	✓	✓		
Election Administration:						
Ballot Access	OEA	OEA				
Campaign Finance Law (State Election Laws)	PRec	PRec		✓*		
Combined Federal/State Disclosure and Election Directory	PRec	PRec		✓		
Election Case Law (Topics other than Campaign Finance)	OEA	OEA				
Electoral College	OEA	OEA	✓	✓		
Federal Elections (series)	PRec	PRec		✓		
National Voter Registration Act (Motor Voter)	OEA	OEA	✓	✓		
Primary Functions of an Election System	OEA	OEA	✓			
State Ballot Lists of Federal Candidates	PRec	PRec				

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** Only the "Quick Reference Charts" are available on the web.*