

*OFFICE OF
INSPECTOR GENERAL*

Semiannual Report to Congress



April 1, 2004 – September 30, 2004

*Federal Election Commission
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TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
FEDERAL ELECTION COMMISSION	7
AUDITS.....	9
AUDIT FOLLOW-UP	14
HOTLINE COMPLAINTS	16
ADDITIONAL OFFICE OF INSPECTOR GENERAL ACTIVITY	17
ECIE AND PCIE ACTIVITY	20
REPORTING REQUIREMENTS	22
TABLE I - QUESTIONED COSTS	23
TABLE II - FUNDS PUT TO BETTER USE	24
TABLE III - SUMMARY OF AUDIT REPORTS WITH CORRECTIVE ACTIONS OUTSTANDING FOR MORE THAN SIX MONTHS	25
OIG STRATEGIC PLAN	26
CONTACTING THE OFFICE OF INSPECTOR GENERAL	27

EXECUTIVE SUMMARY

This *Semiannual Report to Congress* issued by the Federal Election Commission (FEC) Office of Inspector General (OIG), is submitted in accordance with the requirements of the *Inspector General Act of 1978*, as amended. This semiannual report summarizes the major activities and accomplishments of the FEC OIG covering the reporting period of April 1, 2004 - September 30, 2004. The Executive Summary summarizes the significant actions and achievements pertinent to the Federal Election Commission, Office of Inspector General. In depth facts pertaining to a particular topic can be found in subsequent sections of this report.

To help ensure the integrity of the FEC, and to improve agency programs and operations, the OIG is responsible for conducting, supervising, and coordinating audits, investigations, and inspections. The OIG continues to strive to prevent and detect fraud, waste, abuse, and mismanagement of the Federal Election Commission's resources and operations.

The Federal Government has made the improvement of financial management a high priority. Under the provisions of *The Accountability of Tax Dollars Act of 2002*, the Office of Inspector General is required to audit the agency's financial statements annually. To prepare to meet the requirements outlined in the Act, the FEC OIG selected Clifton Gunderson

(CG), LLP to perform the first financial statement audit of the Federal Election Commission.

The audit will include tests of the Commission's accounting records necessary to enable the contractors to express their opinion on the financial statements. Tests of controls will be performed to examine the effectiveness of certain policies and procedures that are considered relevant to preventing and detecting errors and fraud.

The FEC OIG involvement in the financial statement audit is critical. The OIG, along with the contractors and FEC management officials have been involved in a number of meetings pertaining to the financial audit. During the planning stages of the audit, the OIG met with the contractors and FEC management officials to discuss the financial operation of the Commission. In addition, the contractors were provided with information pertaining to previous financial related audits conducted by the OIG.

Audit status meetings were conducted to discuss the progress of the audit, as well as address any questions or concerns raised during the fieldwork. Additional meetings were held to discuss specific accounting and budget issues relevant to the audit. The **Audit** section of this report, which

starts on page 9, contains additional information regarding the **Audit of the FEC's Fiscal Year 2004 Financial Statements - OIG-04-01**.

The *Audit of the FEC's Public Disclosure Process – OIG-02-03* was initiated during a previous semiannual reporting period. The two objectives related to this audit are to: 1) determine the extent, if any, of disclosure differences between candidate contributions reported by political committees and related political committee contributions reported received by candidates; and 2) determine whether an adequate process is in place to remedy any reporting discrepancies.

The Office of Inspector General continues to work towards completing the audit of the FEC public disclosure system. Steps taken to accomplish this task consist of examining various samples of campaign transactions through the disclosure system. These steps include analyzing, reviewing, and comparing balances of candidate receipts vs. political committee disbursements of campaign finance contributions. Campaign regulations were reviewed to determine the recording requirements for in-kind contributions, as well as the mandated responsibilities of the committee treasurer. For detailed information pertaining to the audit of the agency's public disclosure system, see page 12.

The OIG conducted a follow-up assessment on the audit entitled *Agency Controls Governing the Process for Procurement of Vendor Training Services – OIG-00-01*, released September, 2000. The audit was originally conducted to evaluate the effectiveness and efficiency of management controls governing the process for procurement of training services obtained through outside vendors.

During this reporting period, the OIG contacted management to determine whether or not corrective actions had been taken to rectify the outstanding audit recommendations. As a result of the follow-up assessment, the OIG concluded that management had taken the necessary steps required to close the audit recommendations. For additional information as it pertains to the follow-up assessment, see page 14 located in the **Audit Follow-up** section of this report.

The Inspector General provides necessary oversight and serves as a catalyst for improving and maximizing the efficiency and integrity of FEC programs and operations. The OIG is authorized to receive and investigate complaints concerning possible violation of laws, rules or regulations, mismanagement, abuse of authority, and waste of funds. These investigations are in response to allegations, complaints, and information received from FEC employees and other concerned individuals.

The number of investigative inquiries processed by the OIG increased during this reporting period. Several individuals contacted the OIG to discuss their concerns about matters involving possible violations of fraud, waste, abuse, or mismanagement of FEC programs and operations. For detailed information with regards to the hotline inquiries, see the section entitled **Hotline Complaints** which is located on page 16.

Besides conducting audits, investigations, and reviews, the IG staff is involved in a wide range of additional activities. The items below outline some of the additional assignments taken on by the IG staff during this reporting period. For complete information with regards to the additional activities of the FEC OIG, refer to page 17, the section entitled **Additional Office of Inspector General Activity**.

- Prior to the end of this reporting period, the OIG initiated a peer review of the Federal Housing Finance Board (FHFB), Office of Inspector General. The General Accountability Office's *Government Auditing Standards*, requires that a peer review be conducted every three years on organizations that conduct government audits. A peer review, also referred to as an external quality review, is a review of an audit organization by

an organization not affiliated with the audit organization being reviewed (see page 18).

- The Inspector General continues to serve as a representative to the Executive Council on Integrity and Efficiency (ECIE).

During this reporting period, the IG served as chairman of the 2004 ECIE awards review panel committee (see page 19).

THE FEDERAL ELECTION COMMISSION

In 1975, Congress created the Federal Election Commission (FEC) to administer and enforce the *Federal Election Campaign Act* (FECA) - the statute that governs the financing of federal elections. The duties of the FEC, which is an independent regulatory agency, is to disclose campaign finance information; enforce the provisions of the law such as the limits and prohibitions on contributions; and oversee the public funding of Presidential elections.

The Commission is made up of six members, who are appointed by the President and confirmed by the Senate. Each member serves a six-year term, and two seats are subject to appointment every two years. By law, no more than three Commissioners can be members of the same political party, and at least four votes are required for any official Commission action. This structure was created to encourage nonpartisan decisions. The Chairmanship of the Commission rotates among the members each year, with no member serving as Chairman more than once during his or her term.

OFFICE OF INSPECTOR GENERAL

The Inspector General Act of 1978 (P.L. 100-504), as amended in 1988, states that the Inspector General is responsible for: 1) conducting and

supervising audits and investigations relating to the Federal Election Commission's programs and operations; 2) detecting and preventing fraud, waste, and abuse of agency programs and operations while providing leadership and coordination; 3) recommending policies designed to promote economy, efficiency, and effectiveness of the establishment; and 4) keeping the Commissioners and Congress fully and currently informed about problems and deficiencies in FEC agency programs and operations, and the need for corrective action.

Congress created Offices of Inspectors General to improve management of programs and to prevent fraud, waste, and abuse in federal departments and agencies. This is accomplished through audits, investigations, and other reviews. The IG's office is currently staffed with four full time employees - the Inspector General, Lynne A. McFarland, two Auditors, and a Special Assistant to the Inspector General.

AUDITS

TITLE: Audit of the FEC's Fiscal Year 2004 Financial Statements

ASSIGNMENT #: OIG – 04-01

RELEASE DATE: In Progress

PURPOSE: The Federal Government has made the improvement of financial management a high priority. Under the provisions of *The Accountability of Tax Dollars Act of 2002*, the Office of Inspector General is required to audit the agency's financial statements annually. In our efforts to prepare to meet the requirements outlined in the Act, Clifton Gunderson LLP, an independent CPA firm selected by the FEC/OIG, will perform the first financial statement audit of the Federal Election Commission.

The audit will include tests of the Commission's accounting records necessary to enable the contractors to express their opinion on the financial statements. Tests of controls will be performed to examine the effectiveness of certain policies and procedures that are considered relevant to preventing and detecting errors and fraud.

The FEC OIG involvement in the financial statement audit is critical. The OIG, along with the contractors and FEC management officials have been involved in a number of meetings pertaining to the financial audit. During the planning stages of the audit, the OIG met with the contractors and FEC management to discuss the financial operation of the Commission. The contractors were provided with information pertaining to previous financial related audits conducted by the OIG.

Audit status meetings were conducted to discuss the progress of the audit, as well as address any questions or concerns in reference to the audit. The audit status meeting is a forum for management and the auditors to discuss the progress of the audit. The audit status meetings also included discussions regarding the prepared by client (PBC) list, which is a list that documents the date and time frame of information requested by the contractors, and when management is due to provide such information. The audit status meetings are on going.

The OIG also coordinated and attended meetings with the contractors and representatives from the FEC Information Technology (IT) Division to discuss the IT system controls such as the controls governing major applications used by the FEC. Additional meetings were held with management to discuss accounting and budget issues relevant to the audit.

During this time frame, several documents were reviewed by the OIG, such as the planning document submitted by the contractors. The planning document is the first contract deliverable that documents the planning and understanding phase of the audit. The OIG also reviewed the FEC Office of General Counsel's September 7, 2004 opinion on the applicability of federal laws and regulations, as they relate to the FEC and the financial statement audit. The OIG will continue working with the CG contractors to successfully complete the first financial statement audit of the FEC.

AUDIT

TITLE: Audit of the FEC's Public Disclosure Process

ASSIGNMENT #: OIG – 02-03

RELEASE DATE: In Progress

PURPOSE: The two objectives of this audit are to: 1) determine the extent, if any, of disclosure differences between candidate contributions reported by political committees and related committee contributions reported received by candidates; and 2) determine whether an adequate process is in place to remedy any reporting discrepancies.

The Office of Inspector General continues to work towards completing the audit of the FEC public disclosure system. Steps taken to accomplish this task consist of examining various samples of campaign transactions through the disclosure system. Specific steps include analyzing, reviewing, and comparing balances of candidate receipts vs. political committee disbursements of campaign finance contributions. Campaign regulations were also researched to determine the recording requirements for in-kind contributions, as well as the mandated responsibilities of the committee treasurer.

Additional work included the examination of disclosure process narratives and flowcharts to determine whether the process compares candidate and political committee reports for in-kind contributions given by political committees that are not reported by candidates. In addition, various meetings were conducted to observe the Reports Analysis Division's (RAD) campaign finance report review process for authorized and unauthorized campaign committees.

An extensive review of RAD's *Operational Procedures and Training Manual* was initiated to identify specific procedures in place to detect variances in political action committee and candidate committee data. Data was collected for the development of spreadsheets that will aid in identifying variances in campaign data reported for the 2002 and current election cycles.

AUDIT FOLLOW-UP

TITLE: Agency Controls Governing the Process for Procurement of Vendor Training Services

ASSIGNMENT #: OIG - 00-01

RELEASE DATE: September, 2000

WEBSITE ADDRESS: <http://www.fec.gov/fecig/training.pdf>

PURPOSE: The OIG conducted a follow-up assessment on the audit entitled *Agency Controls Governing the Process for Procurement of Vendor Training Services – OIG - 00-01*, released September, 2000. The audit was originally conducted to evaluate the effectiveness and efficiency of management controls governing the process for procurement of training services obtained through outside vendors. The report initially contained seven audit recommendations, three were closed during a prior reporting period, and four remained outstanding.

As part of the follow-up process the OIG has in place, management is contacted prior to the end of the semiannual reporting period to determine the status of any outstanding recommendations (if applicable). During this reporting period the OIG contacted management to determine whether or not corrective actions had been taken to rectify the outstanding audit recommendations.

In three of the four outstanding recommendations, management had taken the necessary steps to enable the OIG to close those three. Management disagreed with the fourth outstanding recommendation, which recommended that a computer based system be developed to replace the current paper based system for requesting and acquiring vendor training services. Even though the OIG continues to believe an electronic system would be more efficient, this recommendation has been closed. All recommendations pertaining to this audit have now been closed.

HOTLINE COMPLAINTS

The number of investigative inquiries processed by the Office of Inspector General increased during this reporting period. Several individuals contacted the OIG to discuss their concerns about matters involving possible violations of fraud, waste, abuse or mismanagement of FEC programs and operations. Those contacts were made through the OIG e-mail account, phone, and mail.

According to the OIG's *Procedures for Processing Hotline Calls*, a preliminary inquiry must be conducted on all allegations raised in a hotline complaint. If the OIG decides a full investigation is necessary, then the hotline complaint file is closed and a separate investigative file is opened. The IG has a policy to protect the legal rights of complainants and whistleblowers. In addition, the OIG takes great care not to disclose the identity of the complainant without that person's consent.

Currently there are four (4) hotline complaints pending, and one (1) investigation in progress. The OIG closed two (2) hotline complaints during this time frame.

ADDITIONAL OFFICE OF INSPECTOR GENERAL ACTIVITY

All legislation, as compiled by the Commission's Congressional Affairs Office, was reviewed by the Inspector General, as required by the *Inspector General Act of 1978*, as amended. The Inspector General reviews and comments, when appropriate, on all legislation provided by the PCIE/ECIE Legislative Committee. In addition, the Inspector General routinely reads all Commission agenda items and attends the Finance Committee meetings.

- During the previous semiannual reporting period, the OIG conducted research on a legislative provision pertaining to the *Consolidated Appropriations Act of 2004*. As directed by the *Rural Development Act of 1972*, the Inspectors General of each applicable department or agency are required to report to Congress the policies and procedures in place that give priority to the location of new offices and other facilities in rural areas. During this reporting period, a letter was sent to the Committee on Appropriations in response to the legislation. As stated in our reply to the Committee, the OIG has concluded that the requirement for a policy regarding the location of new offices and other facilities in rural areas is not applicable to the FEC.

- Prior to the end of this reporting period, the OIG initiated a peer review of the Federal Housing Finance Board (FHFB) Office of Inspector General. The General Accountability Office's *Government Auditing Standards*, requires that a peer review be conducted every three years on organizations that conduct government audits. A peer review, also referred to as an external quality review, is a review of an audit organization by an organization not affiliated with the audit organization being reviewed.

A Memorandum of Understanding (MOU) between the FEC OIG and the FHFB OIG was prepared and signed. The MOU was developed to assure that there is a mutual understanding between the two OIGs regarding the fundamental aspects of the review. In order to prepare for the review, the revised *Guide for Conducting External Quality Control Reviews of the Audit Operations of Offices of Inspector General* was reviewed and analyzed.

As part of the peer review process, the FHFB OIG's recent *Semiannual Report to Congress*, two annual audit plans, the audit tracking system, and the continuing education summaries for the auditors have been reviewed. In addition, two audits from the FHFB OIG were selected to be evaluated during the peer review process. The FEC OIG anticipates

completing the peer review during the course of the next reporting period.

- The Inspector General continues to serve as a representative to the Executive Council on Integrity and Efficiency (ECIE). During this reporting period, the IG served on the 2004 ECIE awards review panel committee. In this capacity the IG was required to review and evaluate the nominations for the ECIE awards. The ECIE recognizes outstanding performance and commitment to the work of the community and the Federal Government in its annual awards program.

ECIE AND PCIE ACTIVITY

The Executive Council on Integrity and Efficiency was established by Executive Order on May 11, 1992. It consists of Designated Federal Entity Inspectors General and representatives of the Office of Government Ethics, the Office of Special Counsel, the Federal Bureau of Investigation and the Office of Management and Budget.

The Commission's Inspector General is an active member of the Executive Council on Integrity and Efficiency (ECIE) and has provided input to a number of initiatives proposed by the Council. The ECIE serves as a forum for the exchange of views for the Inspector General Community. The Council identifies, reviews, and discusses issues that are of interest to the entire IG Community. The IG attended regular meetings held by the ECIE, and joint meetings of the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency.

For the period April 1, 2004 through September 30, 2004, the Inspector General (or staff) attended the following training, meetings, programs, seminars and/or conferences:

- ECIE - *Monthly Meetings*
- PCIE - *Financial Statement Audit Network (FSAN) Meetings*

- PCIE - *Government Performance and Results Act (GPRA) Roundtable Discussion*
- Southeastern Intergovernmental Audit Forum – *15th Biennial Forum of Government Auditors Conference*
- Federal Audit Executive Committee (FAEC) – *Information Technology Security Committee (ITSC) Meeting*
- Association of Government Accountants (AGA) – *Success in Accelerating Financial Statement Reporting*
- Government Executive – *Excellence in Government 2004: Leading When it Matters Most Conference*
- USDA Graduate School – *Government Auditing Standards: Review & Update*
- Federal Election Commission – *Administrative Liaison Meeting*
- Federal Election Commission – *Civil Service Retirement System (CSRS)*

Reporting requirements required by the *Inspector General Act of 1978*, as amended by the *Inspector General Act Amendments of 1988* are listed below:

Section 4(a)(2)	Review of Legislation-----	17
Section 5(a)(1)	Significant Problems, Abuses, and Deficiencies-----	None
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses, and Deficiencies-----	None
Section 5(a)(3)	Recommendations Included in Previous Reports on Which Corrective Action Has Not Been Completed-(Table III) -----	25
Section 5(a)(4)	Matters Referred to Prosecutive Authorities-----	None
Section 5(a)(5)	Summary of Instances Where Information was Refused-----	None
Section 5(a)(7)	Summary of Significant Reports-----	9
Section 5(a)(8)	Questioned and Unsupported Costs-(Table I)-----	23
Section 5(a)(9)	Recommendations that Funds be put to Better Use (Table II)-----	24
Section 5(a)(10)	Summary of Audit Reports issued before the start of the Reporting Period for which no Management Decision has been made-----	N/A
Section 5(a)(11)	Significant revised Management Decisions-----	N/A
Section 5(a)(12)	Management Decisions with which the Inspector General is in Disagreement-----	None

TABLE I

**INSPECTOR GENERAL ISSUED REPORTS
WITH QUESTIONED COSTS**

		DOLLAR VALUE (in thousands)	
	NUMBER	QUESTIONED COSTS	UNSUPPORTED COSTS
A. For which no management decision has been made by commencement of the reporting period	0	0	[0]
B. Which were issued during the reporting period	0	0	[0]
Sub-Totals (A&B)	0	0	[0]
C. For which a management decision was made during the reporting period	0	0	[0]
(i) Dollar value of disallowed costs	0	0	[0]
(ii) Dollar value of costs not disallowed	0	0	[0]
D. For which no management decision has been made by the end of the reporting period	0	0	[0]
E. Reports for which no management decision was made within six months of issuance	0	0	[0]

TABLE II

**INSPECTOR GENERAL ISSUED REPORTS WITH
RECOMMENDATIONS THAT FUNDS BE PUT TO BETTER USE**

	<i>NUMBER</i>	<i>DOLLAR VALUE (in thousands)</i>
A. For which no management decision has been made by the commencement of the reporting period	0	0
B. Which were issued during the reporting period	0	0
C. For which a management decision was made during the reporting period	0	0
(i) dollar value of recommendations were agreed to by management	0	0
based on proposed management action	0	0
based on proposed legislative action	0	0
(ii) dollar value of recommendations that were not agreed to by management	0	0
D. For which no management decision has been made by the end of the reporting period	0	0
E. Reports for which no management decision was made within six months of issuance	0	0

TABLE III

**SUMMARY OF AUDIT REPORTS WITH CORRECTIVE ACTIONS
OUTSTANDING FOR MORE THAN SIX MONTHS**

Recommendations

<u>Report Title</u>	<u>Report Number</u>	<u>Issue Date</u>	<u>Number</u>	<u>Closed</u>	<u>Open</u>
Agency Controls Governing the Process for Procurement of Vendor Training Services	00-01	09/00	7	7	0

FEC / OIG Strategic Plan

OIG Products: *To provide products and services that promote positive change in FEC policies, programs, and operations.*

Objective A: Deliver timely, high-quality products and services that promote positive change.

Strategy:

- establish common OIG standards for communicating results;
- conduct quality assurance programs;
- solicit appropriate internal and external review and comment;
- comply with applicable statutory guidelines and standards;
- set realistic and appropriate milestones.

Objective B: Address priority issues and concerns of the Commission, Congress, and Management.

Strategy:

- Perform work that supports;
- Federal Election Commission and Congressional priorities;
- National Performance Review objectives;
- Strategic Management Initiative efforts;

Focus OIG attention in the following areas of emphasis:

- managing change;
- resource allocation in relation to policy objectives;
- delivery of client service;
- causes of fraud and inefficiency; and,
- automation and communication.

Objective C: Follow-up and evaluate results of OIG products and services to assess their effectiveness in promoting positive change.

Strategy:

- Identify, as appropriate, lessons learned to improve timeliness and quality; and,
- conduct follow-up reviews to determine if intended results have been achieved.

Objective D: Satisfy customers, consistent with the independent nature of the OIG.

Strategy:

- establish professional communication and interaction with customers to promote the open exchange of ideas;
- incorporate customer feedback, as appropriate; and,
- be open to customer-generated solutions and options.

Performance Measures: Determine the timeliness and quality of products and services; their effectiveness in promoting positive change; and, reach agreement with management on at least 90% of recommendations within six months of the report issue date.

OIG Process: *To develop and implement processes, policies, and procedures to ensure the most effective and appropriate use of OIG resources in support of our people and products.*

Objective A: Maintain a dynamic strategic planning process.

Strategy:

- periodically review and update the strategic plan to address changing OIG and FEC priorities; and,
- identify factors that influence organizational change and develop short and long term plans to address them.

Objective B: Plan and conduct cost-effective work that address critical issues and results in positive change.

Strategy:

- solicit FEC and Congressional input in planning OIG activities;
- develop internal planning mechanisms to support FEC goals and priorities;
- ensure that priorities of IG are effectively communicated; and,
- identify specific targets for OIG review that are the most cost-effective

Objective C: Identify customer needs and provide products and services to meet them.

Strategy:

- establish new customer feed back mechanisms;
- consider and evaluate customers feedback when planning and developing products and services;
- respond to Congressional inquires and request for briefing and testimony;
- promote open exchange of ideas and information through outreach and through use of e-mail; and,
- receive, evaluate, and respond, as appropriate, to information received through the OIG hotline and other sources.

Objective D: Implement efficient, effective, and consistent resolution and follow-up procedures.

Strategy:

- ensure that IG follow-up procedures are followed and that management is aware of their role in the process; and,
- establish common OIG standards for terminology, date maintenance and communications.

Objective E: Establish a positive and productive working environment.

Strategy:

- reengineer or streamline OIG procedures to achieve the most effective use of resources; and,
- ensure that necessary technologies, evolving and otherwise, are made available to staff as needed.

Performance Measures: An annual audit plan is issued; strategic plan is periodically reviewed; and, necessary technology is provided to staff to enable them to most efficiently perform their duties.

OIG Staff: *To maintain a skilled and motivated work force in an environment that fosters accountability, communications, teamwork, and personal and professional growth.*

Objective A: Attract and retain well-qualified, diverse and motivated employees.

Strategy:

- develop and implement a comprehensive recruiting program that attracts a broad population with the knowledge, skills, abilities, and expertise necessary to make meaningful contributions to the OIG;
- assess employee satisfaction and develop strategies to address employee concerns;
- identify reasons for staff departures and develop plans to foster greater staff retention; and,
- adhere to EEO principles and strive to maintain a diverse work force.

Objective B: Provide training and developmental opportunities to employees.

Strategy:

- assess training needs in relation not only to employee but also office needs as well;
- ensure that Government Auditing Standards in relation to training are adhered to; and,
- maintain a reporting system to ensure that educational requirements are met.

Objective C: Assess, recognize, and reward, when possible, performance that contributes to achieving the OIG mission.

Strategy:

- develop and articulate expectations for each employee's performance, including contributions in meeting the mission & goals of the OIG; and,
- ensure that rewards, when possible, are given in recognition of exceptional employee performance.

Objective D: Create and maintain a working environment that promotes teamwork and effective communication.

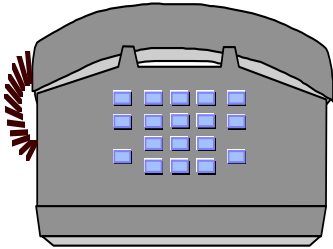
Strategy:

- ensure that communications between employees is open; and,
- provide employees with the tools and incentives they need to adequately perform their duties.

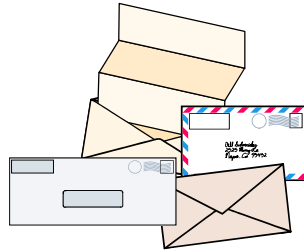
Performance Measures: All employees meet the training requirements; all employees have performance standards; and, all employees meet the basic requirements for the position in which they were hired to perform.

CONTACTING THE OFFICE OF INSPECTOR GENERAL

The success of the OIG mission to prevent fraud, waste, and abuse depends on the cooperation of FEC employees (and the public). There are several ways to report questionable activity.



Call us at **202-694-1015** or toll-free **1-800-424-9530**. A confidential or anonymous message can be left 24 hours a day/7 days a week.



Write or visit us - we are located at:

**Federal Election Commission
Office of Inspector General
999 E Street, N.W., Suite 940
Washington, DC 20463**

Mail is opened by OIG staff members only.



You can also contact us by e-mail at: **oig@fec.gov**.
Our Website address: **<http://www.fec.gov/fecig.htm>**.

Individuals may be subject to disciplinary or criminal action for knowingly making a false complaint or providing false information.