

FEC Operations

August 10, 2020

The Federal Election Commission has resumed Phase I operations. At this stage, the agency's offices will remain closed to visitors and most of its employees will continue to telework in an effort to limit the spread of coronavirus (COVID-19).

During Phase I, the FEC will resume processing mail delivered via USPS, UPS, DHL, and FedEx (collectively, "mail"). The agency will not accept or process any documents or correspondence delivered by courier. Incoming mail, including non-electronically filed reports, advisory opinion requests, enforcement complaints, and court-case documents, will typically be processed on a weekly basis. Outgoing mail will be processed on a similar schedule. The effects of these delays are addressed below. Please note that some FEC offices may continue to not have access to mail during Phase I. However, all FEC staff have access to phone and email. Additionally, the FEC's website, web-based programs, and electronic filing systems are all still online.

If you have pending or new business before the FEC, please contact staff electronically or by telephone. Please visit our [Contact](#) page for details. Please review the following information to determine the specific impact to FEC services and operations.

Campaign Finance Reports

As states postpone congressional and presidential primary elections to limit possible COVID-19 exposure, the Commission is updating the reporting dates and deadlines associated with those elections. Filers should consult the [dates and deadlines web page](#) for the latest updates.

The Commission continues to receive, review and make available to the public campaign finance reports filed electronically. Those filings comprise approximately 94% of the reports filed with the FEC, and electronic filing is mandatory for all filers who receive contributions or make expenditures that exceed \$50,000 in a calendar year, or have reason to expect to do so.

During Phase I, the Commission will process campaign finance reports filed by mail, though processing will not occur on a daily basis until the agency resumes normal mail operations. As a result, paper filers may continue to receive non-filer letters. Nevertheless, filers should continue to file their reports on time. Reports sent by registered mail, overnight delivery, or certified mail, are considered filed with the FEC as of the date of the postmark. Reports submitted by first-class mail will be considered filed when actually received by Commission staff, subject to delays resulting from the agency's limited mail processing. The Commission will not be able to receive or process reports filed by courier service during Phase I. The FEC does not have statutory authority to extend filing deadlines, but it may choose not to pursue administrative fines against filers prevented from filing by reasonably unforeseen circumstances beyond their control. *See* 11 CFR 111.35. Please note that Reports Analysis Division (RAD) will continue to email all

Requests for Additional Information (RFAIs) during Phase I to ensure timely delivery. We encourage filers to submit an amended Statement of Organization (Form 1) with an updated email address, if needed.

Enforcement Complaints

Complaints alleging a violation of any statute or regulation within the Commission's jurisdiction must be filed in writing, with the contents sworn to and signed in the presence of a notary. Complaints must be sent to the General Counsel at the FEC's street address. During Phase I, FEC staff will be able to receive complaints sent by mail, but not on a daily basis. Staff will not receive complaints sent by courier service. To avoid potential mail processing delays, the Commission continues to ask that, if you file a complaint by mail you *also* send an electronic copy of the complaint to EnfComplaint@fec.gov. The FEC encourages the use of electronic signatures on, and electronic notarizations of, such electronically submitted complaints from states in which electronic notarization is available. Electronically submitted copies of complaints that otherwise appear to be in order will be deemed received on the date the copy was electronically received by staff. Complaints filed only by mail will be deemed received when actually received by OGC staff, subject to possible mail processing delays.

Other Enforcement Materials

You may continue to submit other enforcement materials to the FEC, such as responses or discovery materials, electronically at cela@fec.gov, or to the staff attorney assigned to the matter, as applicable. Enforcement-related materials submitted only by mail will be deemed received when actually received by OGC staff, subject to possible delays due to the intermittent processing of mail. At that time, agency staff will determine if any adjustments to deadlines are necessary or warranted.

Requests for Legal Consideration

If you have received a request for corrective action from the Reports Analysis Division or the Audit Division, you may continue to request the Commission's consideration of legal questions. *See* Policy Statement Regarding a Program for Requesting Consideration of Legal Questions by the Commission, 84 FR 36,602 (July 29, 2019).¹ You are encouraged to submit such requests electronically, to LegalRequestProgram@fec.gov, to ensure timely receipt while the FEC is unable to process mail. Any requests for legal consideration that are submitted by mail only will

¹ The FECA requires an affirmative vote by four Commissioners to make certain decisions. Due to the Commission's current lack of quorum, requests for legal consideration and requests for advisory opinions may be submitted but the Commission is unable to answer such requests at this time.

be considered to have been received by the Commission Secretary within 24 hours after the agency resumes normal mail operations.

Advisory Opinion Requests

You may continue to seek advisory opinions from the Commission.² Advisory opinion requests must be submitted in writing. At this time OGC staff will not be able to access or process AORs sent by mail on a daily basis, and courier service will not be accepted until the agency resumes normal mail operations. To avoid potential delays, requestors should send electronic copies of their AORs to ao@fec.gov. Any AOR sent by email will be considered received on the date staff receives the electronic copy. AORs submitted by mail only may experience delay and will be considered received by the Office of General Counsel when actually received by OGC staff.

Litigation Documents

For documents connected to court cases that may be served through mail or delivery services, the serving party is asked to send a courtesy copy to ecf.notices@fec.gov to facilitate the litigation.

Public Financial Disclosure Report for Presidential and Vice-Presidential Candidates (Office of Government Ethics Form 278e) updated as of June 18, 2020

This notice applies to candidates for President and Vice President who are required to file personal financial disclosure reports, including candidates who have received an extension of time to file their report and those who became a candidate after April 15. An individual who became a candidate for President or Vice President after April 15, 2020 must file their personal financial disclosure report with the Commission within 30 days of becoming a candidate. Candidates who previously received extensions of time to file their report must continue to file by the extended due date. FEC staff will not be able to access reports sent by mail or delivery service until the agency resumes normal mail operations. Thus, to avoid a potential delay in receipt of the report, candidates should submit a scanned PDF of a completed public financial disclosure report bearing the candidate's signature to tligon@fec.gov. The FEC encourages the use of electronic signatures on electronically submitted reports, but a scanned copy of an ink signature will also be accepted. Electronically submitted reports will be deemed received on the date it was electronically received by staff. Candidates seeking extensions of time to file should submit their requests electronically to tligon@fec.gov. Extension requests submitted only by postal mail or private delivery may be delayed in reaching staff for consideration until the agency resumes normal mail operations, and failure to receive a timely extension will mean that the candidate's form remains due within 30 days of becoming a candidate or on the previously extended due date, as the case may be. . Candidates who are

² See fn 1 regarding the Commission's lack of quorum.

unable to electronically submit a personal financial disclosure report or to electronically submit an extension of time request should contact the Ethics Office at (202) 694-1554 immediately.

Presidential Election Campaign Fund - Matching Funds

Questions regarding the Matching Funds Program and threshold submissions can continue to be directed to Zuzana Pacious at zpacious@fec.gov.

Office of Inspector General

The FEC OIG is processing mail on an intermittent basis, and strongly encourages you to file all inquiries and/or complaints through the [FEC OIG Hotline Portal](#). Please visit the [FEC OIG](#) webpage to learn more about the OIG mission and how best to contact the OIG.

Other Business

If you submit other materials to the FEC, you may wish to submit these materials electronically to ensure agency staff can access your submission and to avoid potential delays in mail processing. When the FEC resumes normal mail operations, agency staff will determine if any adjustments to deadlines are necessary or warranted. General inquiries may be sent to info@fec.gov; email addresses for specific inquiries are available at <https://www.fec.gov/contact/>.