

FEDERAL ELECTION COMMISSION
FISCAL YEAR 2025
CONGRESSIONAL BUDGET JUSTIFICATION



March 11, 2024

Concurrently submitted to Congress and the Office of Management and Budget

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Summary of FY 2025 Budget Justification

The Federal Election Commission (FEC) is an independent regulatory agency responsible for administering, enforcing, defending and interpreting the *Federal Election Campaign Act of 1971* (“FECA” or the “Act”), as amended.¹ As the foundation of federal campaign finance regulation, *FECA* reflects Congress’s efforts to prevent corruption through two principal means. First, it ensures that the public has access to information about the sources of financial support for federal candidates, political party committees and other political committees. Second, *FECA* imposes amount limitations and source prohibitions on contributions received by certain types of political committees. The Commission’s responsibilities also include overseeing the federal public funding programs for presidential campaigns.²

For the fiscal year (FY) 2025 Budget Submission, FEC’s requested funding level is \$93.5 million. This estimate represents a 14 percent increase from an assumed FY 2024 appropriation at the FY 2023 enacted level of \$81.7 million.³ The FEC has experienced several years of essentially flat funding, which represents a decline in real terms, for FEC operations between FY 2016 and FY 2022, and with FY 2024 still uncertain. During that same period, campaign finance filing activity increased nearly fivefold. The requested FY 2025 funding level would allow the FEC to continue rebuilding its staffing levels from FY 2023 and continue to modernize its infrastructure to support its disclosure mission. Absent funding at the requested level, the FEC will be required to reverse its hiring momentum and will likely be required to target an FY 2025 staffing level that is lower than the agency’s current staffing level, which is down 17 percent from the agency’s historic high. In addition, without funding at the requested level most IT modernization projects would be paused. Reductions to staffing and IT modernization projects risks a reduction in the level of service the agency is able to provide to filers and the public in support of its disclosure mission.

Between FY 2016 and FY 2022, and again during FY 2024, the FEC reduced IT operational costs, limited hiring and largely refrained from funding the modernization of certain systems to stay within appropriated levels. This has already placed strain on IT operations and the agency’s cybersecurity posture. The 2024 presidential election will be held in early FY 2025, and the agency predicts that additional funding is needed during FY 2025 to continue services and security at current levels. At the same time, the agency plans to continue targeted investments towards its modernization efforts to account for significant growth in transactions reported to the FEC and real-time information requests from its website.

Funding at the requested level of \$93.5 million for FY 2025 will support the agency’s disclosure mission during the current presidential election cycle and in future years. Currently, the FEC receives campaign

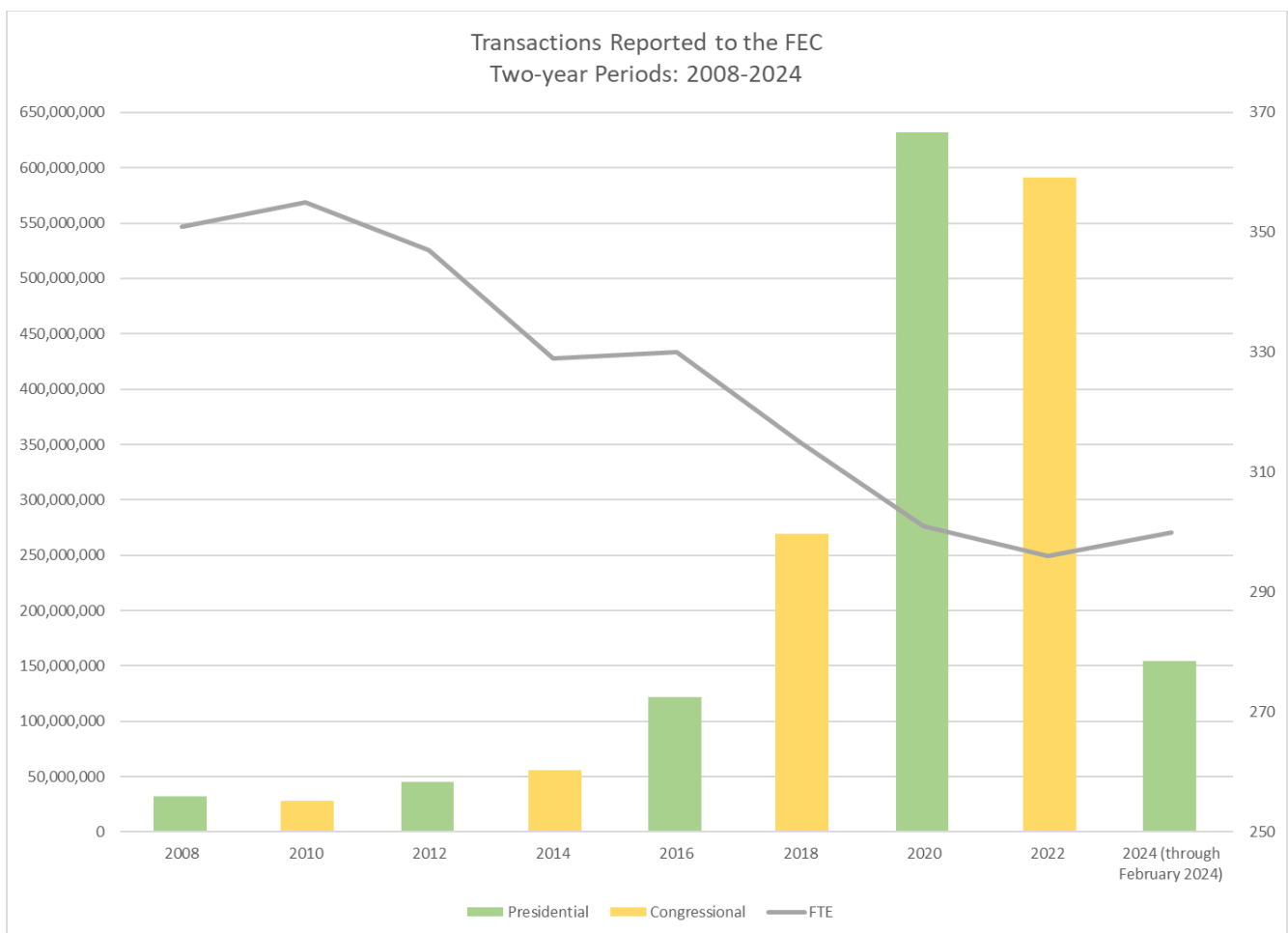
¹ Public Law 92-225, 86 Stat. 3 (1972) (*codified at 52 U.S.C. §§ 30101-45*).

² The Commission’s responsibilities for the federal public funding programs are contained in the *Presidential Election Campaign Fund Act*, Public Law 92-178, 85 Stat. 562 (1971) (*codified at 26 U.S.C. §§ 9001-13*) and the *Presidential Primary Matching Payment Account Act*, Public Law 93-443, 88 Stat. 1297 (1974) (*codified at 26 U.S.C. §§ 9031-42*).

³ Appropriations for FY 2024 remain pending before Congress as this document was prepared. In the Senate, the Appropriations Committee reported S. 2309, which would provide the FEC with an appropriation of \$81,674,000. S. Rep. 118-61, at 66 (July 13, 2023). In the House of Representatives, the Appropriations Committee reported H.R. 4664, which would provide the FEC with an appropriation of \$74,500,000, an amount that is nine percent less than assumed in this document. H.R. Rep. 118-145, at 46 (July 17, 2023).

finance reports, statements and other disclosure documents from more than 16,000 political committees and other filers. During the 2020 presidential election cycle, these filers reported more than 600 million financial transactions, which were reviewed by FEC staff and disclosed to the public on the FEC’s website. This is more than double the number of transactions reported in the previous election cycle, and a nearly 400 percent increase compared to the previous presidential election cycle. During the 2022 election cycle, these filers reported more than 590 million financial transactions, also which were reviewed by FEC staff and disclosed to the public on the FEC’s website. This is a nearly 120 percent increase compared to 2018, the last nonpresidential election cycle. During the 2024 election cycle, the FEC has already received campaign finance reports with 154.6 million transactions, an 11 percent increase over 2020, disclosing \$7 billion in receipts and \$6 billion in disbursements, an 8 percent and 11 percent increase, respectively, over the last presidential election cycle at this point.

Changes in the way political committees raise and spend funds have contributed to this stark increase in the number of transactions disclosed to the FEC. Campaign finance disclosure data must be received, processed and made available to the public within tight deadlines for public disclosure, and it must be safeguarded to ensure the integrity and accessibility of the information. The chart below illustrates the growth of data transactions, and concurrent decrease in staffing levels, in presidential election cycles that the FEC needs to process, store, search and display to support the FEC’s disclosure mission.



Aside from the substantial increase in the number of transactions reported to the FEC, the FEC website’s Application Programming Interface (API), which permits users to customize data searches making vast

quantities of campaign finance data readily available, received over 407 million hits during the 2020 presidential election cycle. With the steep rise in transactions reported every election cycle comes a heavier burden on the FEC's API to quickly search across the FEC's campaign finance database and display the data requested by the public. These trends in campaign finance activity illustrate how crucial it is for the agency to continue to implement updated programs and systems to ensure the timely disclosure of this increasing volume of campaign finance data.

Three Information Technology (IT) modernization projects in particular are essential components of the FEC's long-term strategy to meet the increase in both reported transactions and public demand for this data: (1) efforts to modernize the FEC's eFiling software and the eFiling System Infrastructure; (2) the modernization of the campaign finance data pipeline and (3) legacy applications migrated to the cloud during previous fiscal years, including the modernization of legacy programs that support the critical tasks of data review and management workflow and the voting and certification system used by the Commission. The FEC completed the migration of all targeted applications and anticipates completing the agency's cloud migration during FY 2024. Adequate funding for FY 2025 will help to ensure that the FEC continues work to modernize the eFiling system and internal applications, including the modernization of the campaign finance data pipeline, solutions for the Reports Analysis Division's (RAD) review process and the voting and certification system used by the Commission. The successful completion of these projects will ensure the FEC can continue to efficiently, fairly and effectively achieve its mission, as well as help the agency comply with recent government mandates concerning customer service.

The FEC's increasing workload continues to strain staffing resources. During the period FY 2012 to FY 2022, the number of FEC employees was reduced by approximately 17 percent while the levels of campaign finance activity, and the resulting workload, was increased. During this period the FEC was able to meet its statutory mission primarily due to efficiencies gained by reassigning staff using details, maximizing operational efficiencies through reorganizations, and improving technology and processes, among other efficiencies. However, in recent years the FEC has begun to exhaust the benefits that can be gained through such efficiencies and has, in some situations, reduced performance targets in response to these reductions in staffing amid increasing campaign finance activity. The FEC prioritized filling vacant positions and rebuilding staffing levels during FY 2023; however, the agency has again paused hiring efforts during FY 2024 in order to absorb increased FY 2024 costs at the FY 2023 funding level.⁴ Funding at \$93.5 million for FY 2025 would allow the agency to build upon its successes during FY 2023 by continuing to restore staffing to close to historical levels to meet its increased workload and working to ensure the agency can satisfy the public's customer service expectations.

⁴ If the FEC's final appropriation for FY 2024 is less than the assumed level of \$81.7 million, further staffing and operational reductions would be necessary.

Mission Statement

To protect the integrity of the federal campaign finance process by providing transparency and fairly enforcing and administering federal campaign finance laws

Congress created the FEC to administer, enforce and formulate policy with respect to FECA. The Act reflects Congress's efforts to ensure that voters are fully informed of the sources of financial support for federal candidates, political committees and others and to prevent corruption. Public confidence in the political process depends not only on laws and regulations to ensure transparency, but also on the knowledge that those who disregard the campaign finance laws will face consequences.

The primary objectives of the FEC are: (1) to engage and inform the public about campaign finance data; (2) to promote compliance with FECA and related statutes; (3) to interpret FECA and related statutes; and (4) to foster a culture of high performance.

Voluntary compliance with the requirements of FECA is a particular focus of the Commission's efforts, and its educational outreach and enforcement programs are both designed to ensure compliance with the Act's limits, prohibitions, and disclosure provisions. Because of the large and rising number of political committees and the ever-growing number of financial disclosure reports filed with the FEC, voluntary compliance is essential to enforcing the requirements of the Act. Accordingly, the Commission devotes considerable resources to encouraging voluntary compliance through widespread dissemination of educational materials related to federal campaign finance laws to the public, the press, political committees and state election officials.

This Budget Justification is organized in three sections. Section 1 addresses the agency's purpose and priorities in FY 2025. Section 2 provides an overview of the agency's request. Section 3 provides an overview of the agency's four strategic objectives and describes the agency's performance goals, indicators and targets to ensure continued progress toward meeting these objectives during FY 2025.

Section 1: Purpose and Priorities in FY 2025

1A: Commission Overview and Future Outlook

The FEC is an independent regulatory agency responsible for administering, enforcing, defending and interpreting FECA. The Commission is also responsible for administering the federal public funding programs for presidential campaigns.

The FEC is directed by six Commissioners, who are appointed by the President with the advice and consent of the Senate. By law, no more than three Commissioners can be members of the same political party. The Commissioners meet regularly to formulate policy and to vote on significant legal and administrative matters. The Act requires the affirmative vote of four members of the Commission to approve official actions, thus requiring bipartisan decision making.

As part of its responsibilities, the FEC makes available on its website the campaign finance disclosure reports all federal candidates and federal political committees must file, as required by the Act. These disclosure reports and the data contained in them are made available to the public through the Commission's internet-based public disclosure system on the agency's website at FEC.gov. The FEC also has exclusive responsibility for civil enforcement of FECA, including the handling of civil litigation arising from any legal actions brought by or against the Commission. Additionally, the Commission promulgates regulations implementing the Act. The Commission also has a statutory responsibility to issue advisory opinions responding to inquiries regarding interpretation and application of the Act and the Commission's regulations to specific factual situations.

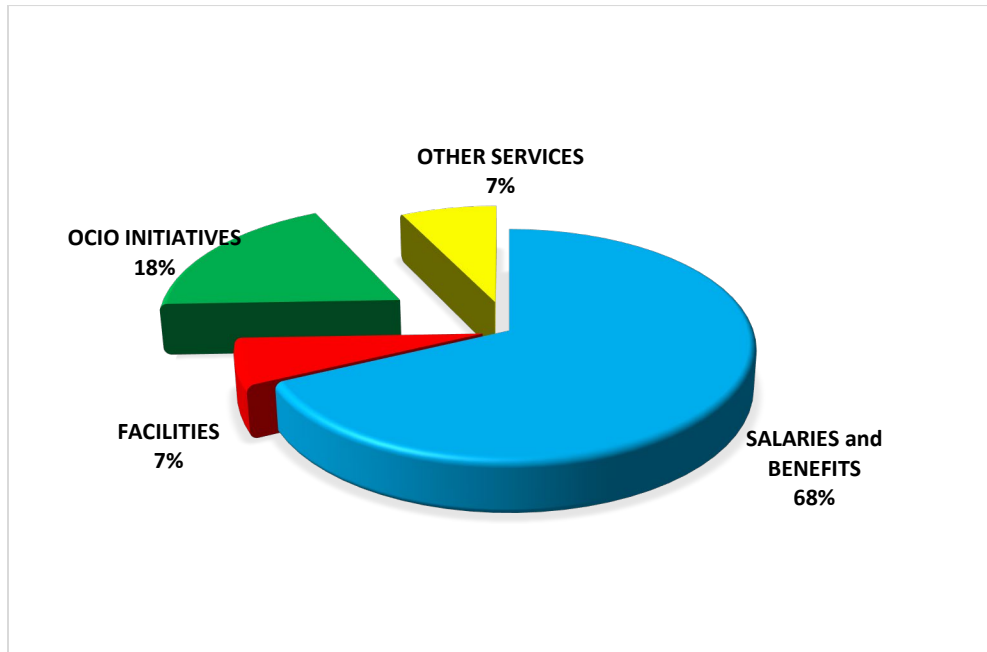
The FEC's Strategic Plan for FY 2022 through FY 2026, developed pursuant to the *Government Performance and Results Act of 1993 (GPRA)*⁵ and the *GPRA Modernization Act of 2010*,⁶ provides the agency's strategic management framework. This framework is designed to ensure that every employee works in support of the FEC's strategic goal and objectives, and that the effectiveness of these efforts can be regularly and meaningfully measured.

The FEC is currently funded by a single annual appropriation for salaries and expenses. Nearly 70 percent of the agency's budget is composed of salaries and benefits. Of the agency's remaining operational expenses, the largest categories are IT operations, including IT security requirements, and facilities rent. These three requirements constituted 90 percent of the agency's FY 2023 obligations. FY 2023 Budget obligations are shown in Figure 1 below.

⁵ Public Law 103-62, 107 Stat. 285 (1993) (*codified at* 31 U.S.C. § 1115 *et seq.*).

⁶ Public Law 111-352, 124 Stat. 3866 (2011) (*codified at* 31 U.S.C. §§ 1115-24).

Figure 1 – FY 2023 Major Categories by Budget as of September 30, 2023

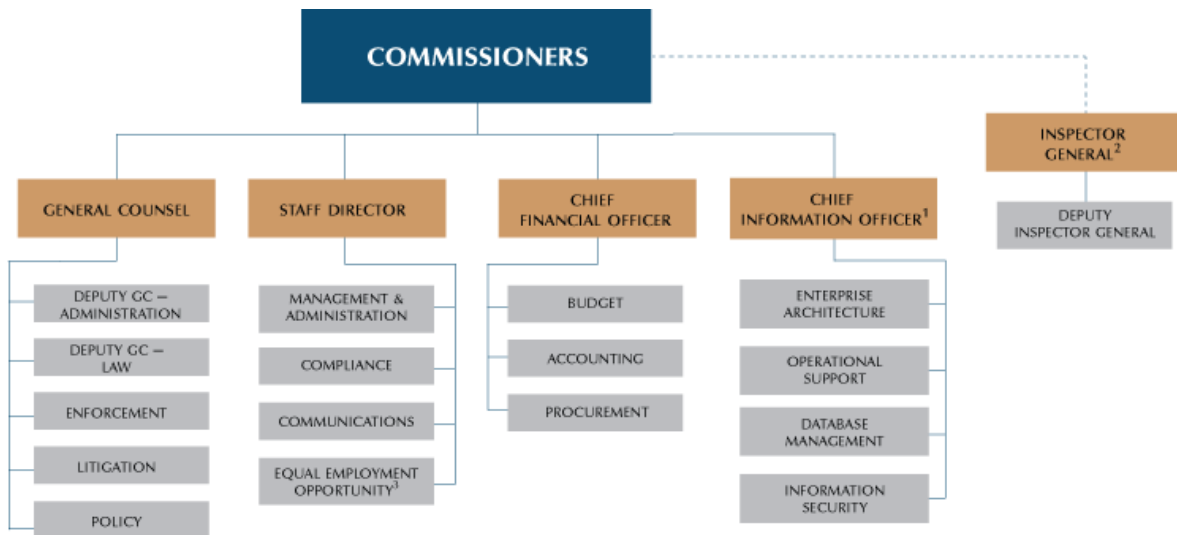


* OCIO Initiatives includes costs for (1) maintenance of all existing applications and systems that support the FEC’s statutory duties, including the legacy eFiling program; (2) IT modernization initiatives; (3) funding of cloud hosting costs, and (4) contracts for products and services associated with maintaining the FEC’s defenses against cybersecurity threats.

FEC Organizational Chart

The Offices of the Staff Director, General Counsel, Chief Information Officer and Chief Financial Officer support the agency in accomplishing its mission. The Office of the Inspector General, established within the FEC in 1989 under the *Inspector General Act Amendments of 1988*,⁷ is independent and reports both to the Commissioners and to Congress. The specific roles and responsibilities of each office are described in greater detail at:

<https://www.fec.gov/about/leadership-and-structure/fec-offices/>



¹ The position of Chief Information Officer normally reports directly to the Staff Director who, in turn, reports to the Commission itself. At present, however, the same individual is serving in both the position of the Staff Director and the position of the Chief Information Officer, pursuant to an authorization by the Commission and based, in part, on an advance decision from the Comptroller General. Accordingly, the organizational chart reflects both positions – the Staff Director and the Chief Information Officer – as reporting directly to the Commission.

² The Office of the Inspector General (OIG) independently conducts audits, evaluations, and investigations. OIG keeps the Commission and Congress informed regarding major developments associated with their work.

³ The Director for Equal Employment Opportunity reports to the Staff Director on administrative issues but has direct reporting authority to the Commission on all EEO matters. See 29 CFR 1614.102(b)(4).

⁷ Public Law 100-504, 102 Stat. 2515 (1988).

1B: FY 2025 Priorities

The FEC priorities for FY 2025 are aligned with the agency's FY 2022 to 2026 Strategic Plan and are limited to those needs that will allow the agency to fulfill its mission as required by law and support the President's Management Agenda. As discussed below, funding at the requested amounts for FY 2024 and FY 2025 would allow the agency to resume rebuilding its staffing level from FY 2023 and improve the agency's systems and processes. The Commission would be able to continue to make progress reducing its dependency on costly legacy systems and improve the efficiency of the agency's IT infrastructure, including data pipeline modernization, modernization of cloud-hosted applications, improvements to the eFiling platform and continued enhancements to cybersecurity and tools. The FEC's priorities for FY 2025 will help to ensure that the agency can improve customer experience and service delivery as it meets increasing public demand for its services.

Prioritizing IT Modernization and Cybersecurity

The FEC protects the integrity of the federal campaign finance process by providing transparency and fairly enforcing and administering federal campaign finance laws. Fair enforcement and full disclosure of the sources and amounts of campaign funds allow the public to make informed decisions in the political process. Transparency requires that information is not only kept by the FEC but also that it is provided to the public in a way that is intuitive to users and provides the necessary context for understanding how federal elections are funded. The FEC must make election-related reports and information accessible to the public in a timely, reliable and useful fashion. The Commission is therefore committed to providing the public with robust access to campaign finance data, compliance information and legal resources. Funding at the requested amount of \$93.5 million would allow the FEC to make progress improving the quality of services delivered to the public.

Campaign finance reports disclose financial transactions that detail where political committees and other filers raised, spent, refunded, saved or transferred money. The transactions reported to the FEC might show a \$5 contribution to a candidate or a \$50,000 ad buy by a PAC. As a key means of preventing corruption, these transactions document campaign finance activity, which serves as the record commonly used for enforcement, historical and journalistic purposes.

Once the FEC receives a report, that report is nearly immediately put on the FEC website for the public to view. The transactions contained in the report are also reviewed and coded by FEC staff, entered into the FEC's databases and made searchable on the FEC website, which provides decades of transaction-level data for historical research and comparison.

Transaction-level data reported to the FEC is also used by FEC staff to ensure compliance with the FECA. Transaction-level data is reviewed by staff in RAD through its RAD Modules system. This system is over 20 years old and, as a result, presents a degraded performance and a greater vulnerability to security threats. Without the secure and reliable access to data through the RAD Module system, the RAD staff's ability to review reports would encounter significant obstacles. Furthermore, other departments within the FEC rely on this data through internal systems designed to support the agency's vital enforcement and compliance functions. The FEC operates in an environment where data security and integrity are paramount, and the existence of any security risks within the legacy system is a concern that demands

modernization. Funding at the \$93.5 million level would allow the FEC to continue efficient operations while maintaining a robust security posture.

The FEC's IT Modernization Projects

The FEC's IT Modernization projects comprise a multi-year plan to migrate and modernize applications and data assets to a cloud environment in order to more effectively process transaction-level data, improve application performance and enhance security. The FEC is undertaking these projects primarily to ensure the agency can continue to receive, review and publicly disclose the increasing volume of campaign finance transactions that are reported. While much of the agency's focus remains on data-related applications, the FEC also recognizes the need to start planning for replacing or modernizing other internal applications that support the agency's ability to achieve its mission, including the RAD Modules system used by RAD and the voting and certification system used by the Commission.

The FEC provides free eFiling software to filers. The current eFiling system, which includes the desktop version of FECfile software accessible via window-only interface, and the infrastructure enabling the FEC to receive electronically filed reports using various software, was developed in the 1990s. Despite periodic updates, the agency lacks confidence that the existing eFiling software and infrastructure will adequately support the FEC's disclosure mission in the future. The agency is in the process of developing a new web-based FECFile Online platform that will be more user-friendly and enhance data validation and security measures. Additionally, the FEC has initiated the migration of some eFiling infrastructure to the cloud and has started building a disaster recovery solution for the eFiling infrastructure in the cloud to accommodate the increasing volume of reported campaign finance activities. Without sufficient funding to continue work on this project through FY 2025, the agency is not confident that it will be able to timely and efficiently receive campaign finance reports or effectively review this data and make it available to the public. As these are core elements of the FEC's mission, completion of the eFiling modernization project remains a top priority for the agency.

Approximately \$2.05 million in funds included in the request would support efforts to improve ease-of-use of the software and to make the software platform-independent. Test versions of the software will be released to users to test starting in late 2024. The new software will go into production in a phased rollout in 2025-2026, with estimated additional costs of \$4 million over the 2025-2026 FYs to complete development of the new software for additional types of filers and to cover production support costs. Significantly, once implemented the FEC's new eFiling system cannot be taken offline without significant disruption of the FEC's disclosure mission. During the phased rollout of the new software, the agency will need to support the parts of the new software being used by filers, continued development of the new software and the legacy desktop software. Overall costs to support the eFiling software will increase during this period.

Over time, the cost-per-transaction of the FEC's current server-hosted system has increased as the price of hardware and the contract for operations, maintenance and support services has increased. In FY 2023 the FEC spent \$1.84 million maintaining and enhancing this 27-year-old system. The new eFiling software, FECFile Online, will be cloud-native. The agency has initiated efforts to migrate sections of the Electronic Filing Software Infrastructure (EFSI) to cloud hosting, preparing them for modernization, and is also developing a disaster recovery solution for the EFSI.

The cloud-hosted cost-per-transaction of the new system is anticipated to be lower, in addition to other lower costs associated with eFiling security. The cloud-hosted software will also allow the FEC to scale up during busy filing periods, take advantage of cloud-based security and allow for easier upgrades when the cloud vendor releases new services. The cloud-hosted cost-per-transaction of the new system is anticipated to be lower, in addition to other lower costs associated with eFiling security. Funding at the \$93.5 million level would allow the FEC to continue planned work towards completion of this project. Funding at the requested level is imperative for reducing the agency's on-premises hosting and maintenance costs, while also enhancing security.

The transaction-level data received by the eFiling system must be rapidly processed and made available in an accessible format to FEC staff, such as RAD analysts who review campaign finance reports, as well as to the public on the FEC's website. The FY 2025 request includes funding for the data pipeline modernization initiative, which aims to enhance the infrastructure and processes that facilitate the flow of information received through the eFiling system to internal review applications, like RAD Modules, and other systems, then to agency's public website. By modernizing the data pipeline, the FEC can avoid purchasing additional database licenses under the legacy database architecture and ensure that it can continue to effectively fulfill its disclosure mission.

Absent funding at the \$93.5 million level, the agency is not confident of its ability to meet the disclosure demands of the 2028 presidential election cycle. The increasing volume of reported campaign finance transactions continues to strain the agency's systems. Although the total number of transactions received during the 2022 midterm cycle was slightly lower than that received during the 2020 presidential election cycle, the agency still struggled to successfully process the number of transactions received on any particular day during the 2022 cycle.

The maximum processing capacity of the FEC's current data pipeline is **15 million** electronically filed transactions per day if the process is to be completed within the agency's internal goals for timely disclosure. However, the number of transactions received per day can vary widely. For example, on a single day during the 2022 cycle, the FEC received approximately **49 million** transactions reported by a single committee. While receiving this volume of transactions in a day is not a regular occurrence, it is also not uncommon. For the interim, the agency has adopted a partially manual process to ensure that the reported data can be made timely available to the public on the FEC's website. Without improvements to the data pipeline, the FEC cannot ensure that it will continue to be able to meet the high-water mark of reported transactions and make this disclosure data timely available to the public.

The FEC is also prioritizing modernizing its mission-critical Document Voting System and Certification applications (DVS Applications). These applications, utilized by Commissioners for voting and staff for circulating documents, are based on an outdated legacy platform that is over two decades old. While these applications have been migrated to the cloud, they are not cloud native and need to be replaced with applications that are designed for modern cloud technologies. Significantly, these outdated applications now present a cybersecurity risk, accounting for as much as 25 percent of the cybersecurity vulnerabilities flagged by the FEC's cybersecurity scans. Funding at the \$93.5 million level will allow the FEC to fund the modernization or replacement of these applications, as necessary.

Another part of the IT modernization work is to make improvements to the RAD Modules system itself

so that the system can host as much data as it needs to and to facilitate RAD's review of increasing and increasingly complicated data. In 2022, the FEC completed the migration of databases and applications, including RAD Modules, to the cloud. The next step is to modernize these migrated applications and move to more efficient, cloud-native solutions. Without significant improvements to the RAD Modules, the Commission's work to administer and enforce campaign finance laws will be hampered. Funding at the \$93.5 million level for FY 2025 will allow the FEC to maintain its current levels of service.

Cybersecurity

The FEC continuously improves its security architecture. The Commission's security operation, along with continuous diagnostics and mitigation, allows the agency to identify and remediate vulnerabilities. In partnership with the Department of Homeland Security (DHS) and other strategic partners, the FEC continuously identifies, protects, detects, responds to and recovers from the impact of known and potential threats. The FEC's FY 2025 funding request includes funding for its information security efforts, including a security operation center and the tools for continuous diagnostics and mitigation, and implementing security controls to address identified cybersecurity gaps, and essential resources such as the Identity Management tool, storage for the security information and event logs, and putting in place Authority and Assessment for Authorization to Operate (ATO) for the FEC systems. The requested funding would help address identified risks and support the FEC's cybersecurity program and security architecture's ability to continue to safeguard the agency's infrastructure, networks and applications against cyber threats and malicious activities.

Audio Visual (AV) Infrastructure

The FEC's audio visual system provides an advanced communication system with teleconferencing capability, VOIP communications, and the addition of various modern applications to allow FEC staff to take advantage of web conferencing features. This equipment is approximately six years old, and some elements are at or nearing end of life. As the agency looks toward the future replacement of this equipment, we are considering eliminating the need to maintain a contract for full-time AV personnel support. The hearing room and associated control room supports live event streaming and large meetings. These rooms will require some customizations; however, with the installation of a modern and flexible system, the FEC can expect to see a decrease in the need for contracted services.

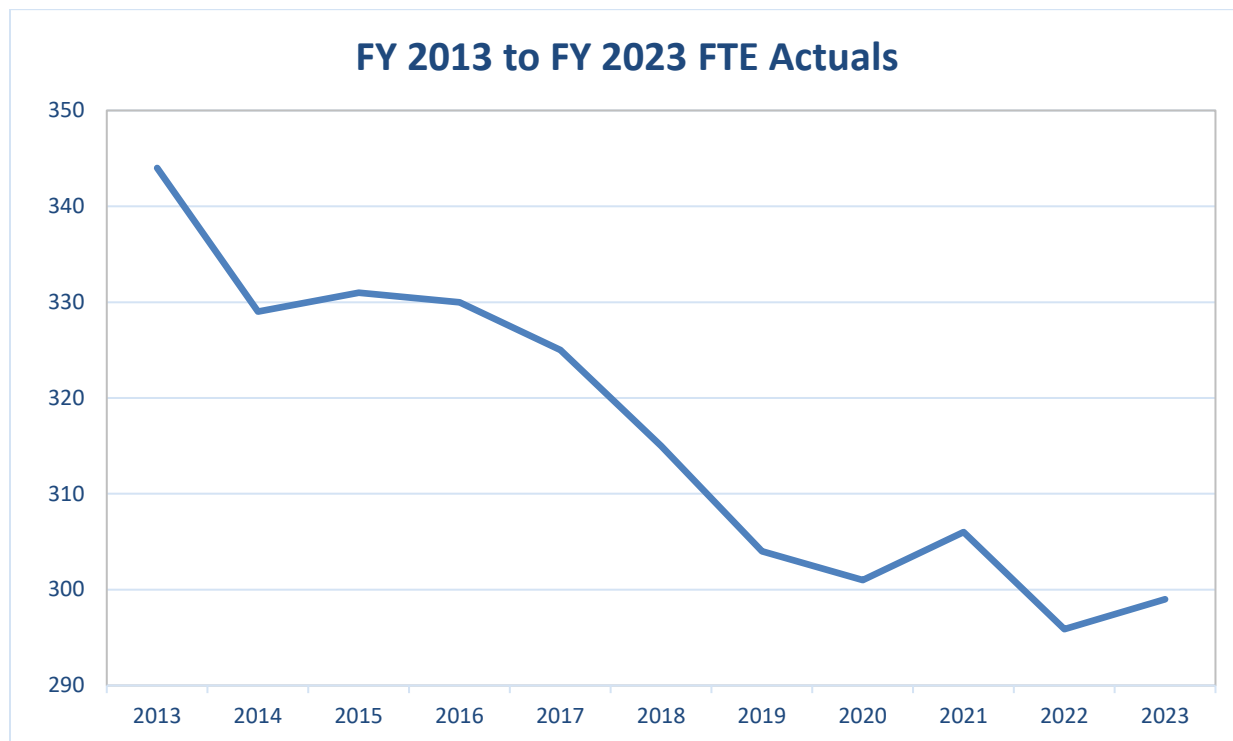
In FY 2024, OCIO staff will begin researching various alternatives to the current system as well as test viable replacements by taking part in vendor proof of concepts. By FY 2025, OCIO will have completed the research and be prepared to select an updated and user-friendly system to replace the current AV infrastructure. The FEC will seek to replace the system in a phased approach, spanning approximately three fiscal years, to minimize the initial asking cost.

Strengthening the Workforce to Achieve the FEC's Mission

The FEC also intends to continue its efforts to maintain the high performance of current staff and the excellent service they provide to the public. A critical component of this effort is rebuilding staffing levels across the agency, a position reinforced by the Office of the Inspector General evaluation on staffing at

the FEC.⁸ Staffing levels dropped approximately 17 percent between FY 2012 and FY 2022 as campaign finance filing activity increased, but the agency was able to begin restoring staffing levels in FY 2023. A FY 2024 budget at the FY 2023 enacted level will likely require the agency to reduce staffing from the FY 2023 level.⁹ Funding at the \$93.5 million level in FY 2025 would support 330 employees, an eight percent increase over current staffing levels, but still well below the agency’s historic high, in order to build the staff required to meet the agency’s increasing workload, as described below.

Figure 2 – Historic FTE Levels



Over the past decade, the FEC has been able to meet its statutory mission primarily due to efficiencies gained by reassigning staff using details, maximizing operational efficiencies through reorganizations, and improving technology and processes, among other efficiencies. However, in recent years the FEC has begun to exhaust the benefits that can be gained through such efficiencies and has, in some situations, reduced services in response to these reductions in staffing amid increasing campaign finance activity.

As one example, the number of inquiries handled by RAD’s campaign finance analysts has increased by more than 300 percent between the 2010 and 2022 election cycles, while the number of RAD campaign finance analysts has decreased by 10 percent since 2010. In order to continue to meet core performance measures, RAD stopped assigning a campaign finance analyst to every authorized committee that reports to the FEC and managers now respond to inquiries from unassigned committees as availability permits,

⁸ Evaluation Report IE-23-01: Evaluation of Staffing, Hiring, and Retention at the FEC.

⁹ If the FEC’s final appropriation for FY 2024 is less than the assumed level of \$81.7 million, further staffing and operational reductions would be necessary.

without the familiarity or established rapport that exists for committees that have an assigned analyst. The FY 2025 request would build off the FY 2023 appropriation and FY 2024 President's Budget to support priority hiring in RAD.

Additionally, staffing in the Office of General Counsel continues to lag behind previous fiscal years. Notably, in FY 2012 OGC reached an FTE level of 109, and at the beginning of FY 2024 was only at an FTE level of 80, representing a 27% reduction. Despite efforts to address this deficit, the staffing levels in the Enforcement and Litigation divisions remain low. In FY 2012, the Litigation Division maintained a staffing level of 14 whereas the current staffing level is at 9, representing a 36% reduction. The FY 2025 request will enable the agency to maintain staffing levels sufficient to support critical agency functions.

¹⁰

A third example of the need to invest in the workforce relates to the FEC's cybersecurity initiatives. The realization of the FEC's cybersecurity projects and ongoing security enhancements hinges on the expansion of our current workforce. The additional positions would play a pivotal role in propelling mission-critical innovations, particularly in the realm of prioritizing information technology modernization and fortifying cybersecurity protocols. These staffing needs cannot be overlooked. Amidst the escalating frequency and sophistication of cyber threats, failing to allocate the necessary resources to bolster our cybersecurity workforce would leave the FEC's vital systems and sensitive data increasingly vulnerable. While the agency's commitment to its mission is evident, the absence of sufficient resources for critical mandated programs like the National Security Operations (OPSEC) Program jeopardizes the comprehensive security approach that the FEC aims to establish. It is crucial to recognize that, alongside technological investments, the allocation of skilled staff is pivotal to ensuring the agency's readiness to counter evolving cyber threats and maintain the integrity of its operations. These new projects and continued improvements, including staffing, are vital not only for the FEC's immediate security but also for its long-term resilience against an ever-changing cyber landscape.

The request would also allow the FEC to invest in training and awards, so as to improve the skills-base of the workforce and reward high performance. Finally, the Commission has established a series of data-driven metrics to measure customer satisfaction with educational outreach efforts, and to ensure that matters are moved efficiently and fairly through the enforcement and compliance processes, with complainants and respondents afforded sufficient transparency regarding the processes. Funding at the requested level of \$93.5 million is necessary to provide the staffing resources needed to meet these goals.

¹⁰ In FY 2023, for example, the Commission published documents in multiple open rulemakings, including: final rules in the Internet Communication Disclaimers rulemaking, supplemental NPRM in Technology Modernization, conducted a public hearing on audit procedures for political committees that do not receive public funds in February 2023, published a Notice of Proposed Rulemaking (NPRM) proposing changes to regulations regarding the use of campaign funds by a candidate's principal campaign committee to pay compensation to the candidate and scheduled a public hearing for March 2023.

Section 2: Budget Overview

2A: Budget Request

Section 2A presents increases from the assumed FY 2024 appropriation level. The request would build on the staffing rebuilding realized in FY 2023 and would enable the agency to strengthen its workforce to attempt to meet current workloads. The continued hiring under the full request would allow FEC to grow to and maintain required staffing levels at 330 employees. It would also allow FEC to maintain and enhance critical modernization efforts.

Table 1 Changes from FY 2024 Planned to FY 2025 Request

Category	Amount
FY 2024 Planned Appropriation	\$81,674,000
Personnel Compensation and Benefits Changes	\$6,482,606
Personnel Changes Subtotal:	\$6,482,606
Non-Personnel Changes	
IT Contracts	3,246,765
Federal Goods & Services	619,880
Supplies & Materials	311,299
Contracts & Other Services	296,153
Insurance Claims	0
Communications	276,479
Training	255,200
Travel	180,000
Non-Capitalized & Capitalized Equipment	83,960
Printing & Reproduction	54,374
GSA Rent	2,471
Non-Personnel Changes Subtotal:	\$5,326,581
Total Change:	\$11,809,187
FY 2025 Request	\$93,483,187

Table 2 highlights the FY 2024 planned appropriation as compared to the FY 2025 Budget Request and FY 2023 actual obligations.

Table 2
FY 2025 FEC Congressional Budget Justification

Federal Election Commission Object Class Data		FY 2023 Actual	FY 2024 Planned Appropriation	FY 2025 Request	Change from FY 2024 Planned to FY 2025 Request	% Change From FY 2024 Planned to FY 2025 Request
11	Personnel Compensation	39,705,964	41,434,999	45,369,249	3,934,250	9.49%
11.52	Cash Awards	694,430	650,000	685,000	35,000	5.38%
12.1	Personnel benefits	14,572,890	14,968,081	17,331,437	2,363,356	15.79%
12.18	Transit Subsidy	122,618	125,000	275,000	150,000	120.00%
Subtotal, Personnel		\$55,095,902	\$57,178,080	\$63,660,686	\$6,482,606	11.34%
21	Travel & transportation of persons	104,765	100,000	280,000	180,000	180.00%
23.1	GSA Rent	5,270,680	5,384,536	5,387,007	2,471	0.05%
23.3	Communications, Utilities & Postage	402,065	402,065	678,544	276,479	68.76%
24	Printing & Reproduction	106,076	106,076	160,450	54,374	51.26%
25.11	Training, Commercial Fed. & Tuition	369,160	250,000	505,200	255,200	102.08%
25.14	IT Contracts	13,755,462	12,829,890	16,076,655	3,246,765	25.31%
25.2	Contracts & Other Services	1,901,347	1,901,347	2,197,500	296,153	15.58%
25.3	Federal Goods & Services	2,129,060	2,129,060	2,748,940	619,880	29.12%
26	Supplies and Materials	739,946	739,946	1,051,245	311,299	42.07%
31	Non-Capitalized and Capitalized Equipment	1,213,572	599,000	682,960	83,960	14.02%
42	Insurance Claims	33,500	54,000	54,000	0	0.00%
Subtotal, Non-Personnel		\$26,025,633	\$24,495,920	\$29,822,501	\$5,326,581	21.74%
TOTAL		\$81,121,535	\$81,674,000	\$93,483,187	\$11,809,187	14.46%

2A.1: Description of Budget Increases and Decreases at the Request Level

Program Increases\$11,809,187

Personnel Increase\$6,482,606

The FEC Request is \$93.5 million in funding. The agency will target hiring to a staffing level of 330, following the projected flat funding levels for FY 2024, to address the increasing workload and provide the staffing resources needed to achieve the FEC’s mission. It will also support required personnel cost increases, such as annual pay raises, and fund awards at levels to promote a strong and incentivized workforce.

Non-Personnel Increases\$5,326,581

IT Contracts.....\$3,246,765

Under the request, the agency will be able to sustain its operations at current levels and allocate funds towards several planned modernization efforts, including the implementation of new eFiling software and the migration of the Commission’s Document Voting System (DVS) to a new platform. Furthermore, modernization projects aimed at replacing legacy applications and processes, such as RAD Modules and the agency’s data pipeline, will also be supported. Acknowledging the necessity to modernize its infrastructure, applications and processes in order to accommodate the rapid surge in reported transactions and data requests from the public, while simultaneously reducing costs associated with maintaining increasingly outdated legacy applications, the agency will prioritize modernization projects at this funding level. These endeavors are geared towards enabling the agency to more efficiently and effectively process, review, and disclose campaign finance information to the public, thereby enhancing its security posture.

Federal Goods and Services\$619,880

This increase would impact funding in services purchased from other federal agencies, including the FEC’s contract with OPM’s HR Solutions, which provides a significant amount of the FEC’s HR functions, the Federal Protective Service and FEC’s Shared Service Providers, as well as web hosting costs for FEC.gov and eFiling modernization.

Supplies and Materials\$311,299

The request would fund supplies and publications as needed.

Contracts & Other Services.....\$296,153

This increase supports IT contracts. FEC will prioritize funding to maintain existing IT support contracts and continue the current eFiling modernization project. Information technology modernization is essential to agency operations and with this increase of funds, staff processes will be eased for efficient services to the Commission and the public.

Training\$255,200

At the request level, the agency would plan significant investments in training, including agency-wide training, OPM required supervisory training, and individualized training. This would support FEC’s goal to strengthen its workforce and associated customer service goals.

Travel\$180,000

At the full request level, FEC would plan to increase in-person audits and offer in-person education conferences to facilitate voluntary compliance with campaign finance requirements.

Non-Capitalized and Capitalized Equipment\$83,960

The FEC seeks efficiencies in equipment spending through its modernization and other efforts. Our continued cloud migration efforts would reduce the need for physical servers. In turn, that server reduction would allow the agency to reduce equipment needs and ongoing licensing costs. Without investing in modernization efforts, the agency would not realize these savings.

Printing & Reproduction\$54,471

Printing costs receive a modest increase to account for expected general cost increases.

GSA Rent and Communications.....\$2,471

This level would provide support for scheduled increases in GSA rental contracts.

2B: Appropriations Language

The FEC proposes the following Appropriations Language for FY 2025.

FEDERAL ELECTION COMMISSION
Federal Funds Salaries and Expenses

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, \$93,483,187, of which not to exceed \$5,000 shall be available for reception and representation expenses.

2C: Recommended Legislative Changes

On December 14, 2023, the Commission approved the 2023 Legislative Recommendations.¹¹ Four of these recommendations represent bold proposals to streamline agency processes, including those for disclosing campaign finance data to the public, and ensure that the agency can operate more effectively and at a lower cost to taxpayers.

These initiatives require statutory changes to be enacted through legislation and proposed statutory language for each was approved by the Commission and provided to the Congress and the Administration.

Establish an Itemization Threshold for Conduit Contributions

Section: FECA § 315(a)(8)
(codified at 52 U.S.C. § 30116(a)(8))

Recommendation: Congress should amend FECA’s reporting requirement for conduit contributions to establish an itemization threshold consistent with other FECA reporting requirements.

Explanation: Under current law, political committees must report all contributions received but are required to itemize only contributions that have an aggregate amount or value in excess of \$200 within the calendar year (or election cycle, in the case of an authorized committee of a candidate for Federal office).¹² Contributions of less than this amount may be reported as one aggregated transaction of “unitemized contributions,” rather than reporting each contribution separately.

With respect to contributions made by a person that are “in any way earmarked or otherwise directed through an intermediary or conduit,” FECA imposes a reporting requirement on the intermediary or conduit that requires reporting to the FEC both the receipt of the initial contribution as well as the disbursement to the intended recipient.¹³ However, this reporting requirement does not include a threshold for itemization of contributions.

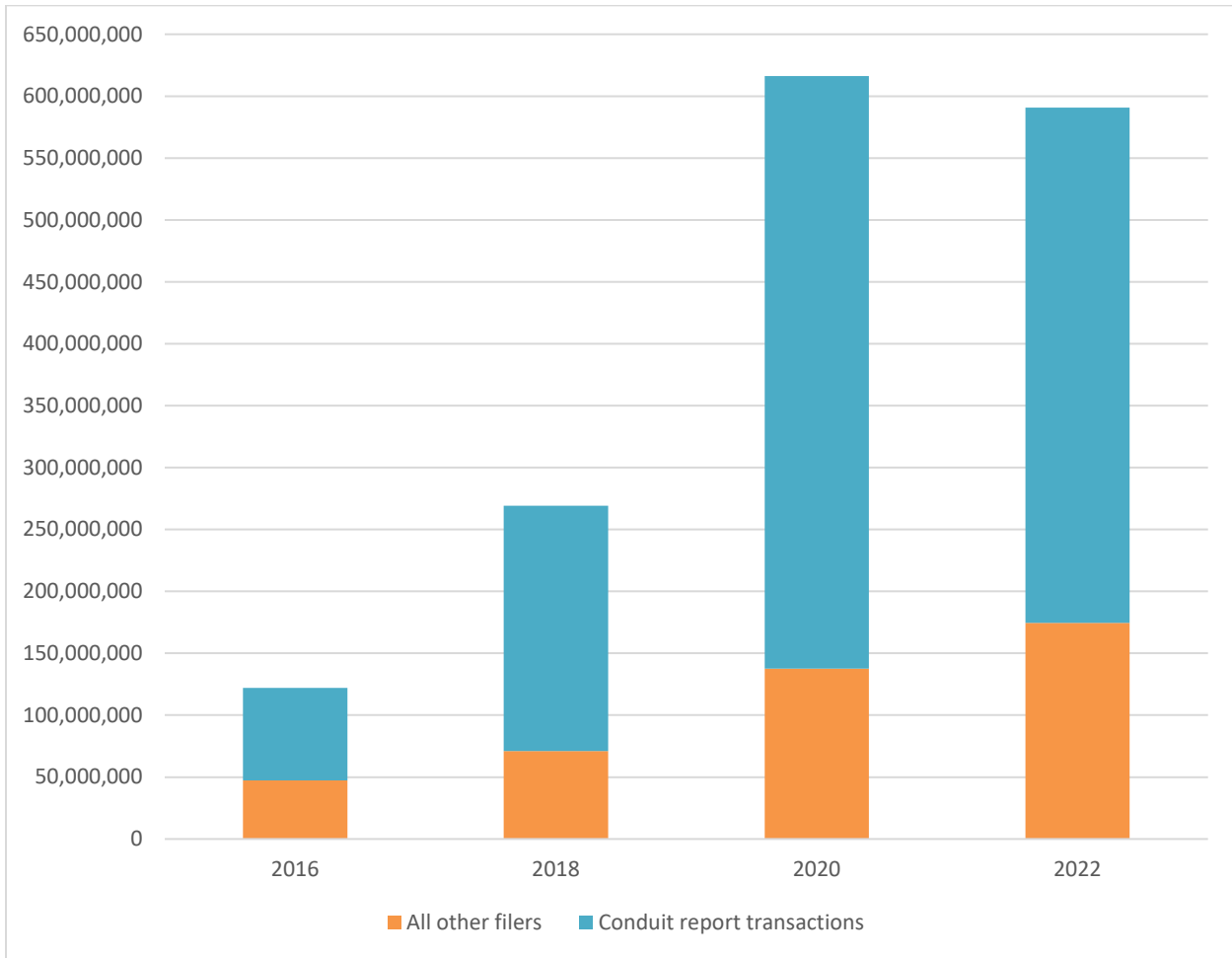
Some contributors who use conduits or intermediaries divide contributions among many intended recipients, which can make some transactions of less than one dollar. Separately reporting transactions of this size can lead to enormous reports with thousands of transactions to disclose a relatively low level of financial activity. This has a significant impact on the total number of reported transactions disclosed by all FEC filers. From 2016 to 2020, the FEC saw the number of reported transactions increase by more than 400 percent. The FEC attributes more than eighty percent of this increase to conduit and intermediary reports, as illustrated in the table below.

¹¹ The Commission’s 2023 Legislative Recommendations are available at: <https://www.fec.gov/documents/4958/legrec2023.pdf>.

¹² FECA, § 304(b)(3)(A), codified at 52 U.S.C. § 30104(b)(3)(A). FECA also permits committees to choose a lower threshold for reporting contributions received.

¹³ FECA, § 315(a)(8), codified at 52 U.S.C. § 30116(a)(8).

**Transactions Reported to the FEC
2016-2022 Election Cycles**



Congress should amend the intermediary or conduit reporting requirement to include a mandatory itemization threshold for conduits and intermediaries’ reports to the Commission. Note that conduits and intermediaries would still need to report all transactions to recipient committees to facilitate the recipient committees meeting their reporting obligations.

Increase the Rate of Pay for FEC Commissioners, Staff Director and General Counsel

Section: FECA § 306(a)(4) and (f)(1)
(codified at 52 U.S.C. § 30106(a)(4) & (f)(1))

Recommendation: Congress should revise section 306 of FECA to increase the rate of pay for Commissioners and to delink the salaries of the Staff Director and the General Counsel from Level IV and Level V of the Executive Schedule.

Explanation:

- Commissioners

The Federal Election Campaign Act provides in section 306(a)(4) that FEC Commissioners are to be paid at Level IV of the Executive Schedule. For 2023, that amount is \$183,500. However, for FEC Commissioners and others, compensation has been subject to a freeze since 2010, with only one adjustment in 2019, which limits the pay for these positions to \$158,500—a 13.6 percent reduction from the current Executive Schedule level. At this current rate, Commissioners receive less compensation than FEC employees in Senior Level positions, and less compensation than some agency employees in the GS-14 and GS-15 positions, including many of their direct reports. The FEC’s Office of the Inspector General (OIG) expects that the percentage of FEC staff who earn more than FEC Commissioners will approach 40% by the end of FY 2024.¹⁴

The OIG identified the pay freeze of the Commissioners’ salary structure as a Human Capital Management challenge for the FEC in 2023, 2024 and in written testimony and responses to questions for the record submitted in connection with the Committee on House Administration’s September 2023 oversight hearing of the FEC.¹⁵ Finding suitable nominees willing to serve as Members of the FEC will be increasingly difficult the longer the current situation persists. Lapses in having a quorum of Commissioners serving prevent the agency from accomplishing many of its most important functions. An increase in Commissioner compensation may reduce the likelihood of further lapses of a quorum of Commissioners.

The Commission recommends that Congress set the compensation level for FEC Commissioners at an amount that delinks it from the Executive Schedule Level. Changing the salaries for Commissioners would not require an increase in the Commission’s appropriation request.

- Staff Director and General Counsel

The current provision in FECA specifies that the Staff Director and General Counsel are to be paid at Level IV and Level V of the Executive Schedule, respectively. Both positions supervise personnel at the GS-15 and Senior Level pay scales, which often provide higher salaries than Levels IV and V of the Executive Schedule. The Staff Director and General Counsel have significant responsibilities and oversight duties with respect to both administrative and legal areas, as well as management over almost all agency personnel. According to recruiting specialists who have worked with the Commission, the current limit makes attracting a strong pool of applicants to these positions more challenging. The

¹⁴ FEC, Office of the Inspector General, *Management and Performance Challenges Facing the FEC for FY 2024* at 7 (Nov. 1, 2023) (“OIG Challenges 2024”), <https://www.fec.gov/resources/cms-content/documents/FY-2024-Mgmt-Challenges.pdf>.

¹⁵ FEC, Office of the Inspector General, *Management and Performance Challenges Facing the FEC for FY 2023* at 6 (Nov. 14, 2022), <https://www.fec.gov/resources/cms-content/documents/FY-2023-Mgmt-Challenges.pdf>; OIG Challenges 2024 at 7; FEC, Office of the Inspector General, *Statement Before the Committee on House Administration* 6 (Sept. 20, 2023) (“OIG Written Testimony”), <https://docs.house.gov/meetings/HA/HA00/20230920/116301/HHRG-118-HA00-Wstate-SkinnerC-20230920.pdf>; Letter from Christopher Skinner, FEC Inspector General, to Rep. Bryan Steil, Chair, Committee on House Administration, at 11-12 (Oct. 30, 2023) (“OIG QFRs”), <https://docs.house.gov/meetings/HA/HA00/20230920/116301/HHRG-118-HA00-20230920-QFR008.pdf>.

appointment and retention of these key leaders have been identified as ongoing management and performance challenges to the Commission by the Inspector General in the 10 most recent Agency Financial Reports covering 2014 through 2023 and in previous Performance and Accountability Reports as well as in the Inspector General’s management and performance challenges for FY 2024 and written testimony and responses to questions for the record submitted to the Committee on House Administration.¹⁶ The General Counsel’s position is currently filled on an acting basis.

The Commission proposes removing the statutory references to the Executive Schedule, and amending FECA to specify that the Staff Director and General Counsel would be compensated under the same schedule as the Commission’s other senior managers. This revision will remedy the current situation where the Commission’s top managers are compensated at a lower rate than many of their direct reports and will ensure that the Commission can retain highly qualified individuals to serve in those positions as well as enable it to remain competitive in the marketplace for Federal executives when vacancies arise. Changing the salaries for these two positions would not require an increase in the Commission’s appropriation request.

Expand Electronic Filing Requirements

Section: FECA § 304(a)(11)(A)(i)
(codified at 52 U.S.C. § 30104(a)(11)(A)(i))

Recommendation: Congress should expand the types of campaign finance reports required to be filed electronically, rather than on paper, to include electioneering communication reports, inaugural committee reports and reports of communication costs.

Explanation: The Treasury and General Government Appropriations Act, 2000,¹⁷ required the Commission to make electronic filing mandatory for political committees and other persons required to file with the Commission who, in a calendar year, have, or have reason to expect to have, total contributions or total expenditures exceeding a threshold amount set by the Commission (which is currently \$50,000). In addition, many independent expenditure reports are already subject to mandatory electronic filing under FECA section 304(a)(11)(A)(i). However, because not all funds required to be reported to the FEC meet the statutory definitions of “contributions” or “expenditures,” the current mandatory electronic filing provision does not apply to Reports of Communication Costs by Corporations and Membership Organizations (FEC Form 7), Notices of Disbursements/Obligations for Electioneering Communications (FEC Form 9), and Reports of Donations Accepted for Inaugural Committees (FEC Form 13).

Compared to data from paper reports, data from electronically filed reports is received, processed and disseminated more easily and efficiently, resulting in better use of agency resources. Reports that are filed electronically are normally available to the public, and may be downloaded, within minutes of receipt by the FEC. In contrast, the time between the receipt of a report filed through the paper filing system and its initial appearance on the Commission’s web site is 48 hours.

¹⁶ See, e.g., *OIG Challenges 2024* at 7-8; *OIG Written Testimony* at 6-7; *OIG QFRs* at 9-10, 12.

¹⁷ Pub. L. No. 106-58, § 639, 113 Stat. 430, 476 (1999).

Electronic filings are not subject to delay due to post office processing or disruptions in the delivery of mail, such as those arising from security measures related to the discovery of anthrax powder and ricin in mail. Because of these measures, the Commission's receipt of mailed paper filings is delayed.

Only entities that report more than \$50,000 of communication costs on FEC Form 7, electioneering communication disbursements on FEC Form 9, or donations for inaugural committees on FEC Form 13 in a calendar year would be subject to mandatory electronic filing under the proposal. The current threshold selected by the Commission ensures that entities with limited financial resources may continue to file reports on paper, which avoids the cost of internet access and a computer sufficient to file reports.

Increase and Index for Inflation Limitations, Thresholds and Exemptions

Sections: FECA §§ 301, 304 and 315
(codified at 52 U.S.C. §§ 30101, 30104 & 30116)

Recommendation: Congress should increase and index for inflation certain limitations, thresholds and exemptions in the Federal Election Campaign Act, many of which have not changed since the 1970s.

Explanation: Most of the Federal Election Campaign Act's contribution limits and registration and reporting thresholds were set in the 1970s. Because more than twenty years of inflation had effectively reduced FECA's contribution limits in real dollars, the Bipartisan Campaign Reform Act of 2002 (BCRA) increased most of FECA's contribution limits to adjust for some of the effects of inflation. Furthermore, BCRA indexed these limits for inflation to address the impact of future inflation.¹⁸ The Commission proposes extending this approach to registration and reporting thresholds, which have been effectively reduced by inflation since those thresholds were established in 1971 or 1979.

Since 1971, FECA has provided that any group of persons that receives contributions or makes expenditures in excess of \$1,000 in a calendar year must register and report as a political committee.¹⁹ FECA also requires political committees to abide by the contribution limits and source prohibitions specified in FECA. Since 1979, FECA has provided that local political party organizations are also subject to a \$1,000 threshold for federal political committee status.²⁰ The Commission recommends that Congress increase these thresholds to \$2,000, and then index those amounts for inflation to prevent erosion in the future. Raising this threshold would be particularly beneficial for local and Congressional district committees of political parties. These organizations frequently breach the \$1,000 threshold. An increased threshold would permit limited spending on federal elections without triggering federal political committee status for local and Congressional district committees of political parties.

¹⁸ Bipartisan Campaign Reform Act of 2002, § 307, Pub. L. No. 107-155, 116 Stat. 81, 102-03 (2002).

¹⁹ FECA § 301(4)(A), codified at 52 U.S.C. § 30101(4)(A); see Federal Election Campaign Act of 1971, § 301(d), Pub. L. No. 92-225, 86 Stat. 3, 11 (1972).

²⁰ FECA § 301(4)(C), codified at 52 U.S.C. § 30101(4)(C); see Federal Election Campaign Act Amendments of 1979 (1979 Amendments), Pub. L. No. 96-187, § 101, 93 Stat. 1339, 1340 (1980).

Since 1979, FECA has required persons (other than political committees) who make independent expenditures in excess of \$250 in a calendar year to report such expenditures to the Commission.²¹ The Commission recommends that Congress increase this threshold to \$500 and index this amount for inflation.

Under FECA, an individual may spend up to \$1,000 per candidate, per election and up to \$2,000 per calendar year on behalf of all political committees of the same party for food, beverages, and invitations for an event held in the individual's home without making a contribution.²² FECA also permits an individual to spend up to \$1,000 per candidate, per election and up to \$2,000 per calendar year on behalf of all political committees of the same party for unreimbursed travel expenses on behalf of the campaign or political party without making a contribution.²³

Congress added the current exemption limits in 1979, setting the amount for candidates as the same as the contribution limit then in effect (\$1,000 per election) and setting the amount for political parties as 40 percent of the contribution limit then in effect for state, district, and local parties (\$5,000 per calendar year) and 10 percent of the contribution limit then in effect for national parties (\$20,000).²⁴

The Commission recommends that Congress update the in-home event exemption and unreimbursed travel expense exemption on behalf of candidates from \$1,000 to \$2,000 and index these amounts for inflation. The Commission further recommends that Congress update the in-home event exemption and unreimbursed travel exemption on behalf of political parties to \$4,000.

The 1979 FECA Amendments amended FECA to provide that authorized committees could support only one candidate, with "support" defined to exclude contributions of \$1,000 or less to an authorized committee; thus, a candidate's authorized committees contributions to the authorized committee of another candidate was limited to \$1,000.²⁵ BCRA did not amend this provision of FECA. However, in a 2004 appropriations act, Congress amended this provision of FECA to change the amount to \$2,000.²⁶ This amount, however, was not made subject to adjustment for inflation. Congress should amend FECA to make this \$2,000 limit on authorized committees' contributions to other authorized committees subject to adjustment for future inflation.

The 1976 FECA Amendments added contribution limits for multicandidate political committees and a \$5,000 limit on contributions from all persons other than multicandidate political committees to most political committees.²⁷ The amounts have not been adjusted since 1976, nor are they subject to inflation adjustment. In 2002, BCRA added a \$10,000 contribution limit applicable to contributions from all

²¹ FECA § 304(c)(1), *codified at* 52 U.S.C. § 30104(c)(1); *see* 1979 Amendments, § 104, 93 Stat. at 1354.

²² FECA § 301(8)(B)(ii), *codified at* 52 U.S.C. § 30101(8)(B)(ii).

²³ FECA § 301(8)(B)(iv), *codified at* 52 U.S.C. § 30101(8)(B)(iv).

²⁴ *See* 1979 Amendments, § 101, 93 Stat. at 1340-41.

²⁵ *See* 1979 Amendments, § 102, 93 Stat. at 1346.

²⁶ Consolidated Appropriations Act, 2005, Div. H., § 525, Pub. L. No. 108-447, 118 Stat. 2809, 3271 (Dec. 8, 2004).

²⁷ FECA Amendments of 1976, § 112(2), Pub. Law No. 94-283, 90 Stat. 475, 487 (May 11, 1976).

persons to political committees of state political parties.²⁸ This contribution limit is not subject to adjustment for inflation. Congress should amend FECA to make these contribution limits subject to inflation adjustments.

Increasing these thresholds and exemptions would take into account many years of inflation and would ease the compliance burdens on individuals and smaller organizations. Additionally, by increasing the thresholds, Congress would exempt some individuals and small organizations that engage in only minimal spending from the Act's registration and reporting requirements. Increasing the registration and reporting thresholds to compensate for inflation would leave significant financial activity subject to regulation as intended by Congress when it enacted the FECA.

²⁸ Bipartisan Campaign Reform Act of 2002, § 102, Pub. Law No. 107-155, 116 Stat. 81, 87 (Mar. 27, 2002).

Section 3: FY 2025 Annual Performance Plan and FY 2023 Annual Performance Report

3A: Introduction

This Annual Performance Plan and Report (APP/APR) is considered the companion to the Federal Election Commission’s Strategic Plan for Fiscal Years (FY) 2022-2026, and designed to provide a solid framework for performance planning and reporting in accordance with the requirements of the *GPRRA Modernization Act of 2010*.²⁹ The FY 2025 Annual Performance Plan and FY 2023 Annual Performance Report are combined in this document to present accomplishments through FY 2023 and performance targets associated with FYs 2023, 2024 and 2025.

This plan positions the agency to promote compliance and to engage and inform the public about campaign finance data and rules. In order to meet these challenges, the FEC must maintain a workforce that is highly qualified to achieve the agency’s mission effectively and efficiently.

3A:1 Mission Statement

To protect the integrity of the federal campaign finance process by providing transparency and fairly enforcing and administering federal campaign finance laws.

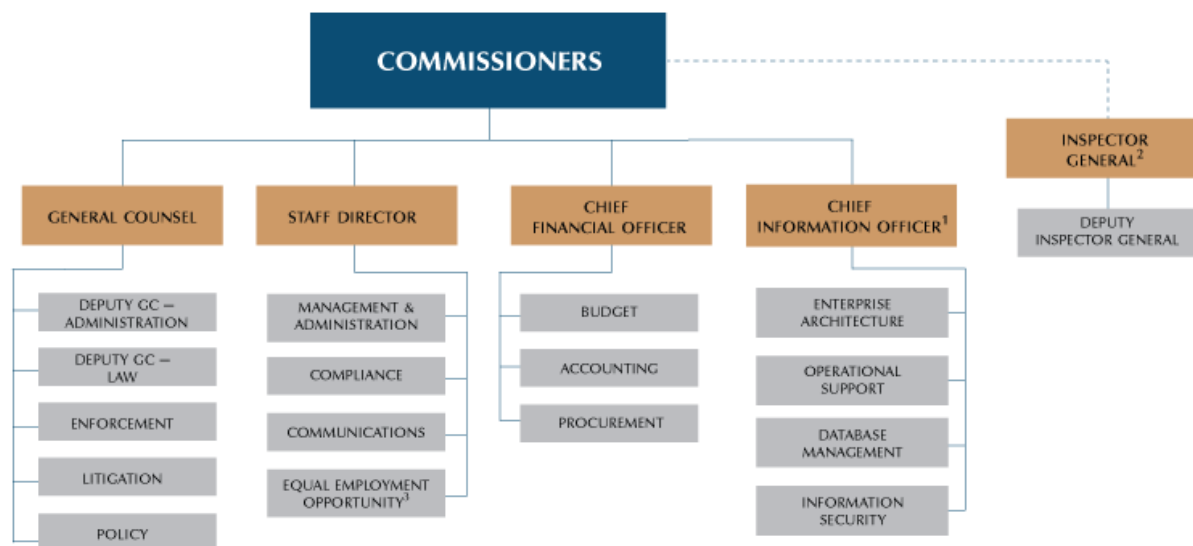
²⁹ The President’s Budget identifies the lower-priority program activities, where applicable, as required under the *GPRRA Modernization Act of 2010*, 31 U.S.C. 1115(b)(10). See <http://www.whitehouse.gov/omb/budget>.

3B: Organizational Structure

The FEC is an independent regulatory agency responsible for administering, enforcing, defending and interpreting the Federal Election Campaign Act (the Act). The Commission is also responsible for administering the federal public funding programs for presidential campaigns. This responsibility includes certifying and auditing all participating candidates and committees and enforcing the public funding laws.

Under the Act, all federal political committees, including the committees of presidential, Senate and House candidates, must file reports of receipts and disbursements. The FEC makes disclosure reports available to the public through the Commission's Internet-based public disclosure system at www.fec.gov as well as through a public records office at the Commission's Washington, D.C. headquarters. The FEC also has exclusive responsibility for civil enforcement of the Act and has litigating authority independent of the Department of Justice in U.S. District Court and the Courts of Appeals. Additionally, the Commission promulgates regulations implementing the Act and issues advisory opinions responding to inquiries.

To accomplish its legislative mandate, the FEC is directed by six Commissioners, who are appointed by the President with the advice and consent of the Senate. By law, no more than three Commissioners may be members of the same political party. Each member serves a six-year term, and two seats are subject to appointment every two years. Commissioners may serve beyond their six-year terms until new Commissioners are confirmed. The position of Commission Chair rotates among the members, with no member serving as Chair more than once during a six-year term. The Commissioners are responsible for administering and enforcing the Act and meet regularly to formulate policy and to vote on significant legal and administrative matters. The Act requires at least four votes for the Commission to approve certain official actions, thus requiring bipartisan decision-making. The FEC has its headquarters in Washington, D.C. and does not have any regional offices.



¹ The position of Chief Information Officer normally reports directly to the Staff Director who, in turn, reports to the Commission itself. At present, however, the same individual is serving in both the position of the Staff Director and the position of the Chief Information Officer, pursuant to an authorization by the Commission and based, in part, on an advance decision from the Comptroller General. Accordingly, the organizational chart reflects both positions – the Staff Director and the Chief Information Officer – as reporting directly to the Commission.

² The Office of the Inspector General (OIG) independently conducts audits, evaluations, and investigations. OIG keeps the Commission and Congress informed regarding major developments associated with their work.

³ The Director for Equal Employment Opportunity reports to the Staff Director on administrative issues but has direct reporting authority to the Commission on all EEO matters. See 29 CFR 1614.102(b)(4).

Figure 3: FEC Organizational Chart

As noted in Figure 3 above, the offices of the Staff Director, General Counsel, Chief Information Officer and Chief Financial Officer support the agency in accomplishing its mission. The Office of the Inspector General, established within the FEC in 1989 under the 1988 amendments to the *Inspector General Act*, is independent and reports both to the Commissioners and to Congress. The specific roles and responsibilities of each office are described in greater detail immediately below.

☒ Office of the Staff Director (OSD)

The Office of the Staff Director consists of four offices: 1) Management and Administration; 2) Compliance; 3) Communications; and 4) Equal Employment Opportunity. The Office of Management and Administration is responsible for the FEC’s strategic planning and performance and works with the Commission to ensure the agency’s mission is met efficiently. In addition, this office houses the Office of the Commission Secretary, the Office of Human Resources (OHR) and the Administrative Services Division (ASD). The primary responsibilities of the Office of Compliance are making campaign finance reports and data available to the public, review of campaign finance reports, assistance with compliance, audits, administrative fines and alternative dispute resolution. The Office of Communications includes divisions charged with making enforcement, policy and other Commission documents, as well as presidential candidates’ personal financial disclosure reports, available to the public, encouraging voluntary compliance with the Act through educational outreach and training, and ensuring effective

communication with Congress, executive branch agencies, states, the media and researchers, and the general public. The Equal Employment Opportunity Office administers and ensures compliance with applicable laws, regulations, policies and guidance that prohibit discrimination in the federal workplace based on race, color, national origin, religion, age, disability, sex, pregnancy, genetic information or retaliation. The EEO Director reports to the Staff Director on administrative issues but has direct reporting authority on all EEO matters. See 29 CFR 1614.102(b)(4).

☒ **Office of General Counsel (OGC)**

The Office of General Counsel consists of five organizational units: (1) the Deputy General Counsel—Administration; (2) the Deputy General Counsel—Law; (3) the Policy Division; (4) the Enforcement Division; and (5) the Litigation Division. The Deputy General Counsel—Administration directly supervises the Administrative Law Team, the Law Library and all OGC administrative functions. The Deputy General Counsel—Law has the primary responsibility for assisting the General Counsel in all of the substantive aspects of the General Counsel’s duties and shares in the management of all phases of OGC programs, as well as directly supervising the agency’s ethics program. The Policy Division drafts for Commission consideration advisory opinions and regulations interpreting the federal campaign finance law and provides legal advice to the FEC’s compliance programs. The Enforcement Division recommends to the Commission appropriate action to take with respect to administrative complaints and apparent violations of the Act. Where authorized, the Enforcement Division investigates alleged violations and negotiates conciliation agreements, which may include civil penalties and other remedies. If an enforcement matter is not resolved during the administrative process, the Commission may authorize suit in district court, at which point the matter is transferred to the Litigation Division. The Litigation Division represents the Commission before the Federal district and appellate courts in all civil litigation involving campaign finance statutes. This Division assists the Department of Justice’s Office of the Solicitor General when the Commission’s FECA cases are before the Supreme Court.

☒ **Office of the Chief Information Officer (OCIO)**

The Office of the Chief Information Officer (OCIO) consists of four units: (1) Enterprise Architecture; (2) Operational Support; (3) Data Administration; and (4) IT Security. The OCIO provides secure, stable and robust technology solutions for Commission staff and the public. OCIO both develops and maintains the systems that serve as the public's primary source of information about campaign finance data and law. OCIO ensures agency employees have access to the tools and technology platforms that allow them to perform their day-to-day responsibilities administering and enforcing campaign finance law. In addition, OCIO provides a vision and leads the implementation of projects to ensure the FEC continues to modernize strategic systems in order to support the significant growth in campaign finance transactions.

☒ **Office of the Chief Financial Officer (OCFO)**

The Office of the Chief Financial Officer consists of three offices: (1) Budget; (2) Accounting; and (3) Procurement. The OCFO is responsible for complying with all financial management laws and standards, and all aspects of budget formulation, budget execution and procurement.

3C: Performance Framework

3C:1 Strategic Goal

The strategic goal of the Federal Election Commission is to fairly, efficiently and effectively administer and enforce the *Federal Election Campaign Act*, promote compliance and engage and inform the public about campaign finance data and rules, while maintaining a workforce that delivers results.

3C:2 Plans and Progress by Strategic Objective

The Act reflects a belief that democracy works best when voters can make informed decisions in the political process—decisions based in part on knowing the sources of financial support for federal candidates, political party committees and other political committees. As a result, the FEC’s first strategic objective is to inform the public about how federal campaigns and committees are financed. Public confidence in the political process also depends on the knowledge that participants in federal elections follow clear and well-defined rules and face consequences for non-compliance. Thus, the FEC’s second strategic objective focuses on the Commission’s efforts to promote voluntary compliance through educational outreach and to enforce campaign finance laws effectively and fairly. The third strategic objective is to interpret the FECA and related statutes, providing timely guidance to the public regarding the requirements of the law. The Commission also understands that organizational performance is driven by employee performance and that the agency cannot successfully achieve its mission without a high-performing workforce that understands expectations and delivers results. Consequently, the FEC’s fourth strategic objective is to foster a culture of high performance in order to ensure that the agency accomplishes its mission efficiently and effectively. The FEC’s strategies for reaching these objectives are outlined below.

3C:2.1 Strategic Objective 1: Engage and Inform the Public about Campaign Finance Data

Leaders: Assistant Staff Director for Reports Analysis Division; Assistant Staff Director for Public Disclosure and Media Relations Division and Deputy Chief Information Officer, Enterprise Architecture

The FEC protects the integrity of federal campaigns by providing transparency and fairly enforcing and administering federal campaign finance laws. Full disclosure of the sources and amounts of campaign funds and fair enforcement of federal campaign finance laws allow the public to make informed decisions in the political process. Transparency requires that information is not only kept by the FEC, but also provided to the public in an easily accessible way. In order to make certain that campaign finance disclosure information is quickly available and easily accessible to the public, the agency has developed application programming interfaces (APIs) and other tools to improve access to campaign finance data. The agency is also committed to providing excellent customer service to help the public find and understand campaign finance information. The FEC gauges its effectiveness through a series of indicators designed to measure performance in areas that promote confidence in the campaign finance process, as detailed in the charts below.

Strategies and Next Steps

The FEC's eFiling system acts as the point of entry for submission of electronically filed campaign finance reports, providing faster access to reports and streamlining operations. This system provides for public disclosure of electronically filed reports, via the FEC website, within minutes of being filed. When a committee files a financial disclosure report on paper, the Commission ensures that a copy is available for public inspection within 48 hours of receipt, both electronically on the website and at the FEC's offices in Washington, D.C. The FEC is committed to providing timely and transparent campaign finance disclosure to the public and delivering data in accessible and easy-to-use formats.

The number of financial transactions reported to the FEC has nearly doubled each election cycle for the past several election cycles through the 2020 cycle, resulting in a steep rise in the number of transactions that must be received, processed and made available to the public. During the 2020 election cycle, these filers reported more than 600 million financial transactions, which were reviewed by FEC staff and disclosed to the public on the FEC's website. This is more than double the number of transactions reported in the previous election cycle, and a nearly 400 percent increase compared to 2016, the last presidential election cycle. During the 2022 election cycle, these filers reported more than 590 million financial transactions, which were also reviewed by FEC staff and disclosed to the public on the FEC's website. This is a nearly 120 percent increase compared to 2018, the last nonpresidential election cycle. This increase in reported activity places a strain on staff, systems and databases. Each transaction must be received and processed by the FEC and made available to the public on the FEC website. This transaction-level data is also used by the FEC internally and supports much of the FEC's mission-related work.

The FEC understands it needs to modernize its disclosure data pipeline to receive, process, review and display the increasing volume of transaction-level data reported by political committees active in federal elections. Data pipelines are a set of automated methods and procedures that process raw data files received from filers into the primary campaign database for internal agency use and for public consumption on FEC.gov. They are essential to processing and reviewing campaign finance disclosure information in compliance with FECA's mandates.

During FY 2024, the FEC will continue a multi-year project to improve and modernize its data pipeline. Much of the focus will be on improving the extract, transform and load (ETL) process. This is a three-phase process where data is extracted from a source, transformed or standardized and loaded into a database table. The first milestone consists of four components: 1) refactoring ETL-2, 2) improving query performance, 3) changing database engines and 4) refactoring ETL-1. The FEC has two distinct ETL processes. ETL-1 processes reports and statements received from filers into our primary campaign finance database. ETL-1 adds data descriptions and ensures database tables used for reporting purposes have as-amended data. ETL-2 moves data from our primary campaign finance database to our website and API database. ETL-2 produces aggregations used by the website and produces daily and weekly downloadable bulk data files for the public. To prepare for work to refactor ETL-2 once funding becomes available for this project, the FEC has held architecture and strategy discussions to determine the best approach.

The Commission is also improving and refining its website through iterative development, ensuring the FEC continues to provide an effective, user-centered online platform to deliver campaign finance information to its diverse base of users. This effort will ensure that the FEC provides full and meaningful campaign finance data and information in a manner that meets the public's increasing expectations for

data customization and ease of use.

Performance measures and targets for assessing progress on this Strategic Objective include measures to ensure that data from campaign finance reports are quickly made available to the public and that the FEC pursues programs to make data more accessible to the public.

Progress Update for FY 2023

The FEC continued its work to receive and make public campaign finance disclosure information. During the 2024 election cycle, the FEC has already received campaign finance reports with 154.6 million transactions, an 11 percent increase over 2020, disclosing \$7 billion in receipts and \$6 billion in disbursements, an 8 percent and 11 percent increase, respectively, over the last presidential election cycle at this point. Reports filed electronically are made available on the FEC website and may be downloaded by the public within minutes of submission. Reports filed on paper are scanned and made available on the FEC website within 48 hours of receipt. During FY 2023, the FEC ensured that 100 percent of paper filed reports were made available to the public within two business days and that 100 percent of independent expenditure filings were made available to the public within one business day.

After reports are imaged for disclosure purposes, the information is coded and entered into the FEC’s database for review to assess accuracy and ensure complete disclosure of campaign finance information. The agency’s goal is to code and enter 95 percent of the reports within 30 days of receipt. In FY 2023 the agency processed 93 percent of reports within 30 days of receipt.

Performance Goal 1-1: Improve the public’s access to information about how campaign funds are raised and spent.

Key Indicator: Percent of reports processed within 30 days of receipt.								
FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
100%	94% ³⁰	98%	89% ³¹	98%	95%	93% ³²	95%	95%

³⁰ The agency’s ability to meet its target for this performance goal during FY 2019 was negatively impacted by the lapse in appropriations from December 22, 2018 to January 25, 2019.

³¹ The agency’s ability to meet its target for this performance goal during FY 2021 was negatively impacted by staff shortages and an unprecedented volume of filings received during the 2020 election cycle.

³² The agency’s ability to meet its target for this performance goal during FY 2023 was negatively impacted by staff shortages and the volume of filings received during the 2022 election cycle.

Supporting Indicators 1-1:

Measure Name	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
Percent of reports and statements filed on paper with the FEC made available on the FEC website within two business days of receipt	99%	100%	100%	100%	100%	100%	100%	100%	100%
Percent of 24- and 48-hour reports on independent expenditure spending filed on paper made available on the FEC website within one business day of receipt	100%	100%	100%	100%	100%	100%	100%	100%	100%
Improve capacity to process campaign finance data	N/A	N/A	N/A	N/A	Documented ETL-2; Average processing capacity for new reports, 1 million transactions per hour; Average processing capacity for amendments, 600,000 transactions per hour	Refactor ETL-2	Preliminary discussions regarding architecture design and strategy underway	Refactor ETL-2	Improve query performance to allow queries across more than two cycles

3C:2.2 Strategic Objective 2: Promote Compliance with the FECA and Related Statutes

Leaders: Deputy Staff Director/Chief Compliance Officer; General Counsel; Deputy General Counsel—Administration; Assistant Staff Director, Information Division

Helping the public understand its obligations under the Act is an essential component of voluntary compliance. The FEC places a significant emphasis on encouraging compliance. The FEC measures its progress in meeting this Objective through two performance measures, discussed separately below. The first measures the agency's efforts to encourage voluntary compliance through educational outreach and information and the second measures the FEC's efforts to seek adherence to FECA requirements through fair, effective and timely enforcement and compliance programs. Progress against these measures and supporting indicators is detailed in the charts below.

Strategies and Next Steps

Encourage voluntary compliance with FECA requirements through educational outreach and information.

Helping those subject to the Commission's jurisdiction understand their obligations under federal campaign finance laws is an essential component of voluntary compliance. The FEC's education and outreach programs provide information necessary for compliance with campaign finance laws and give the public the context necessary to interpret the campaign finance data filers disclose.

Using the FEC's toll-free line and public email accounts, staff in the Information Division, Reports Analysis Division, Congressional Affairs Office and Public Disclosure and Media Relations Division respond to thousands of inquiries each year regarding campaign finance data disclosed to the public and questions about how to comply with the campaign finance law and its reporting requirements.

The Commission also encourages voluntary compliance by hosting interactive training programs for candidates, parties and political action committees. Online discussions of campaign finance topics, webinars and regional conferences address recent changes in the law and focus on fundraising, methods of candidate support and reporting regulations. The agency expects to resume its regional conferences in the 2025-26 election cycle. In the interim, committees will have the opportunity to attend in-person seminars at FEC headquarters this fall and a full slate of webinars throughout the remainder of this cycle.

Another online training service enables political committees, reporters, students and other groups to schedule live, interactive online training sessions with FEC staff. This on-demand service allows the FEC to provide tailored, distance learning presentations and training to the public in a manner that significantly increase the availability of FEC staff to serve the public. The service also offers an efficient and effective way for alternative dispute resolution and other enforcement respondents to satisfy the terms of their agreements with the agency.

In addition to these interactive training programs, the Commission provides a myriad of educational resources on its YouTube channel (FECTube) and website (FEC.gov). FECTube offers a wide range of instructional videos and tutorials—including curated playlists for candidates, parties, PACs and individual citizens—that enable users to obtain guidance tailored to their specific activities. Website visitors can

access comprehensive guides written in plain language that summarize the rules for all types of committees, from registration to termination. Although these guides are also available in print, the FEC's transition to web-based media has allowed the agency to reduce significantly its printing, storage and mailing costs while at the same time encouraging new and expanded ways of communicating with the public via the website. For example, visitors can sign up to receive email notifications any time website content that interests them is updated and when campaign finance reports are received by the agency.

The Commission's website is also an important source of instantly accessible information about FECA, Commission regulations, and Commission proceedings. In addition to viewing campaign finance data, anyone with Internet access can use the website to track Commission rulemakings, search advisory opinions, audits, and closed enforcement matters, view campaign finance data, and find reporting dates.

Seek adherence to FECA requirements through fair, effective and timely enforcement and compliance programs.

The FEC has formed strategies for ensuring that its enforcement and compliance programs are fair, effective and timely. The Commission's statutory obligation is to administer, interpret and enforce the Federal Election Campaign Act, which serves the compelling governmental interest in deterring corruption and the appearance of corruption in financing elections. In doing so, the Commission remains mindful of the First Amendment's guarantees of freedom of speech and association, and the practical implication of its actions on the political process.

The FEC has exclusive jurisdiction over civil enforcement of Federal campaign finance laws. It consults with the U.S. Department of Justice, as appropriate, on matters involving both civil and criminal enforcement of the Act. Commission enforcement actions, which are handled primarily by the Office of General Counsel (OGC), originate from a number of sources, including external complaints, referrals from other government agencies and matters generated by information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities. Enforcement matters are handled by OGC pursuant to the requirements of the FECA. If the Commission cannot settle or conciliate a matter involving an alleged violation of the Act, the Commission may initiate civil litigation by filing and prosecuting a civil action in Federal district court to address the alleged violation. Closed enforcement matters are available via the FEC website.

To augment OGC's traditional enforcement role, the Office of Compliance manages several programs that seek to remedy alleged violations of the Act and encourage voluntary compliance. These programs include: 1) the Alternative Dispute Resolution Program, 2) the Administrative Fine Program and 3) the Audit Program. The Commission's Alternative Dispute Resolution Program is designed to resolve matters more swiftly by encouraging the settlement of less-complex enforcement matters with a streamlined process that focuses on remedial measures for candidates and political committees, such as training, internal audits and hiring compliance staff. Violations involving the late submission of, or failure to file, disclosure reports are subject to the Administrative Fine Program. This Program is administered by the Reports Analysis Division (RAD) and the Office of Administrative Review (OAR), which assess monetary penalties and handle challenges to the penalty assessments. The Audit Program conducts "for cause" audits in those cases where political committees have failed to meet the threshold requirements for demonstrating substantial compliance with the Act *and* conducts mandatory audits under the public funding statutes. Commission-approved threshold requirements used by RAD and the Audit Division are

available via the FEC website, subject to limited redactions.

The Office of Compliance's Reports Analysis Division (RAD) reviews an ever-increasing volume of reports to track compliance with the law and to ensure that the public record provides a full and accurate representation of reported campaign finance activity. If the FEC's review identifies an apparent violation or raises questions about the information disclosed on a report, RAD sends a request for additional information (RFAI letter) to the filer, affording an opportunity to take remedial action or correct the public record, if necessary. If the filer is able to resolve the FEC's concerns, it may avoid an enforcement action. If not, the Commission has several tools available to it, such as the Administrative Fine Program, the Audit Program, the Alternative Dispute Resolution Program and the traditional enforcement program.

The Alternative Dispute Resolution (ADR) Program was implemented in FY 2001 with the primary objective to enhance the agency's overall effectiveness through more expeditious resolution of enforcement matters with fewer resources required to process complaints and internal referrals. A case is closed when the Commission votes on the recommendation made by the ADR Office as to what final action should be taken.

In response to a legislative mandate, an Administrative Fine (AF) Program was implemented in July 2000 to address late and non-filing of disclosure reports in a more efficient and effective manner. The AF Program is administered by RAD and Office of Administrative Review (OAR), which are within the Office of Compliance.

The Commission generally conducts audits when a committee appears not to have met the threshold requirements for substantial compliance. The audit determines whether the committee complied with the limitations, prohibitions and disclosure requirements of the Act. In addition, the Commission is required by law to audit presidential campaigns that accept public funds.

Progress Update for FY 2023

Encourage voluntary compliance with FECA requirements through educational outreach and information.

During FY 2023, the Commission continued to meet its mandate to assist the public by providing access to campaign finance compliance information. The Commission is deeply committed to providing candidates, committees and the public timely advice and support so they can fully understand and comply with the Act. The Commission also continues to strive to better understand and meet the needs of the public and other stakeholders. During FY 2023, the FEC produced a variety of instructional videos and web content and conducted numerous online training workshops. In addition, the Commission hosted an in-person/online seminar at its headquarters. The FEC again exceeded its customer service target for conferences and webinars, achieving an average attendee satisfaction rating of 4.49 on a five-point scale.

Seek adherence to FECA requirements through fair, effective and timely enforcement and compliance programs.

Reports Analysis Division

During FY 2023, RAD continued to ensure that campaigns and political committees file timely and accurate disclosure reports that fully disclose their financial activities. During the fiscal year, RAD reviewed 102,438 documents totaling 69.7 million pages. RAD continued to demonstrate its commitment to assisting filers with compliance, handling 10,727 phone calls and meetings, 1,113 electronic mail inquiries, developing reporting examples for the FEC website, and participating in several FEC seminars and webinars during FY 2023. In addition, the Reports Processing Branch demonstrated its commitment to providing the public with timely data, coding 69.7 million transactions during FY 2023.

Office of General Counsel

OGC continues to seek improvement in meeting its obligations to the Commission and the public to handle its caseload efficiently and effectively despite staffing challenges. In FY 2023, the Commission closed 117 enforcement cases in an average of 632 days, which included \$1,482,300 in negotiated civil penalties. The Commission closed 63 cases (54 percent) within 15 months.

Alternative Dispute Resolution Office

The ADRO continued to promote compliance with Federal campaign finance law and Commission regulations and to reduce the cost of processing complaints by encouraging settlements outside the agency's normal enforcement track. During FY 2023, the Commission completed 34 ADR cases, which included \$225,450 in negotiated civil penalties. The Commission's performance measure for ADR is to circulate 75 percent of cases to the Commission within 140 days of a case being referred. During fiscal year 2022, ADRO circulated 94 percent of recommendations within that timeframe.

Administrative Fine Program

The Administrative Fine Program continues to successfully reduce the number of late and non-filed reports and encourage campaign finance transparency through the timely filing of campaign finance reports. During FY 2023, RAD processed 276 reason-to-believe recommendations for Commission consideration. RAD processed 95 percent of these recommendations within 60 days of the original due date of the untimely or not filed report. OAR reviewed 16 challenges submitted by committees in response to a reason-to-believe finding and/or civil money penalty. OAR reviewed 100 percent of these challenges within 60 days of receipt. Overall, OAR has reviewed 880 challenges submitted from the Program's inception through FY 2023.

Audit Division

The Audit Division continues to enforce the FECA through a Commission-approved audit process. The Commission's performance goal is to complete 60 percent of audits within two years. During FY 2023, the Audit Division completed five audits, of which 100 percent were completed within the two-year performance goal period. During FY 2023 there were two requests received under the Request for Legal Consideration by the Commission program established in 2011 to allow for challenges to preliminary audit findings. There were no requests for an Audit Hearing. In May 2023, the Commission approved a new audit process for political committees that do not receive public funds which will be enacted for the upcoming 2024 election cycle. The goal of the new audit process is to balance efficiency, procedural

protections for audited committees, orderly development of the law, transparency, and encouragement of voluntary compliance with the Act.

Performance Goal 2-1: Encourage voluntary compliance with FECA requirements through educational outreach and information.

Key Indicator: Educational outreach programs and events achieve targeted satisfaction rating on user surveys.								
FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
4.53	4.45	4.51	4.36	4.55	4.0 or higher on a 5.0 scale	4.49	4.0 or higher on a 5.0 scale	4.0 or higher on a 5.0 scale

Supporting Indicators 2-1:

Measure Name	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
Increase in the number of E-Learning presentations available on the FEC website	3 new trainings	9 new trainings	2 new trainings	4 new trainings	2 new trainings	4 new trainings	3 new trainings	4 new trainings	4 new trainings

Performance Goal 2-2: Seek adherence to FECA requirements through fair, effective and timely enforcement and compliance programs.

Key Indicator: Of the enforcement matters resolved during the fiscal year, the percentage that was resolved within 15 months of the date of receipt.

FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
62%	56%	62%	34% ³³	22% ³⁴	50%	54%	50%	50%

³³ The agency's performance under this measure was negatively impacted by the lack of a quorum for most of FY 2020.

³⁴ The agency's performance under this measure was negatively impacted by the lack of a quorum for most of FY 2020.

Supporting Indicators 2-2:

Measure Name	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
Percent of notifications provided within five days of complaints filed with the FEC	100%	100%	100%	100%	100%	100%	99%	100%	100%
Percent of enforcement matters presented to the Commission for initial review within one year of the date of receipt	84%	82%	81%	82%	83%	80%	63% ³⁵	80%	80%
Percent of RFAIs sent within 40 days of report review	88%	88%	86%	91%	90%	75%	92%	75%	75%
Percent of reports reviewed by RAD within 90 days of receipt	92%	76%	92%	85%	93%	75%	87%	75%	75%
Percent of <i>Proposed Final Audit Reports</i> (PFAR) approved by the Commission within two years from the start of fieldwork	45%	100%	N/A ³⁶	83%	40% ³⁷	60%	100%	60%	60%
Percent of <i>Reviewing Officer Recommendations</i> circulated within 60 days	100%	97%	100%	91%	95%	75%	100%	75%	75%
Percent of <i>ADRO Recommendations</i> circulated within 140 days of referral	74%	70% ³⁸	100%	98%	96%	75%	94%	75%	75%

³⁵ The agency's ability to meet its target for this performance goal during FY 2023 was negatively impacted by staffing shortages.

³⁶ The Audit Division was unable to obtain approval for any audit reports during FY 2020 because doing so requires the vote of the Commission, which lacked a quorum for approximately 11 months of the fiscal year.

³⁷ The agency's ability to meet its target for this performance goal during FY 2022 was negatively impacted by staffing shortages.

³⁸ The agency's ability to meet its target for this performance goal during FY 2019 was negatively impacted by the lapse in appropriations from December 22, 2018 to January 25, 2019.

3C:2.3 Strategic Objective 3: Interpret the FECA and Related Statutes

Leader: General Counsel; Deputy General Counsel— Administration

Commission initiatives, Congressional action, judicial decisions, petitions for rulemaking or other changes in campaign finance law may necessitate that the Commission update or adopt new regulations. Consequently, the FEC undertakes rulemakings either to write new Commission regulations or revise existing regulations. The Commission also provides guidance on how the Act applies to specific situations through the advisory opinion process and represents itself in most litigation before the federal district and appellate courts. The Commission’s three primary means for providing interpretive guidance for the Act and related statutes are discussed below.

Regulations

The Policy Division of OGC drafts various rulemaking documents, including Notices of Proposed Rulemaking (NPRMs), for Commission consideration. NPRMs provide an opportunity for the public to review proposed regulations, submit written comments to the Commission and, when appropriate, testify at public hearings at the FEC. The Commission considers the comments and testimony and deliberates publicly regarding the adoption of the final regulations and the corresponding Explanations and Justifications, which provide the rationale and basis for the new or revised regulations.

Advisory Opinions

Advisory opinions (AO) are official Commission responses to questions regarding the application of Federal campaign finance law to specific factual situations. The Act generally requires the Commission to respond to AO requests within 60 days. For AO requests from candidates in the two months leading up to an election, the Act requires the Commission to respond within 20 days. On its own initiative, the Commission also makes available an expedited process for handling certain time-sensitive requests that are not otherwise entitled to expedited processing under the Act. The Commission strives to issue these advisory opinions in 30 days.

Defending Challenges to the Act

The Commission represents itself in most litigation before the federal district and appellate courts and before the Supreme Court with respect to cases involving publicly financed presidential candidates. It also has primary responsibility for defending the Act and Commission regulations against court challenges. In addition, the Act authorizes the Commission to institute civil actions to enforce the Act.

Strategies and Next Steps

The Office of General Counsel continues to focus on its processes to ensure that staff provides timely and well-written advice to the Commission so that it can meet its obligations to administer and enforce campaign finance law. The Commission considers it a high priority to ensure that guidance is provided through the advisory opinion process within the timeframes established by the Act. OGC continues to ensure that court filings meet all deadlines and rules imposed by the courts and has set as a performance target meeting 100 percent of these deadlines and rules.

Progress Update for FY 2023

During FY 2023, the Commission met its goal to issue 100 percent of advisory opinions within the applicable statutory deadline for each request. During FY 2023, the Commission completed work on 11 AO requests and issued 10 opinions in response to those requests. All 11 AO requests that the Commission completed in FY 2023 were 60-day AORs (four of which received extended deadlines). The average number of days from receipt of a complete AO request to Commission action on it was 45 days for 60-day AORs that did not receive an extended deadline and 81 days for 60-day AORs that did receive an extended deadline. The Commission also provided legal guidance within statutory and court-ordered deadlines 100 percent of the time.

Performance Goal 3-1: Provide timely legal guidance to the public.

Key Indicator: Percent of legal guidance provided within statutory and court-ordered deadlines.								
FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
100% ³⁹	100% ⁴⁰	88% ⁴¹	100% ⁴²	100% ⁴³	100%	100% ⁴⁴	100%	100%

³⁹ The Commission obtained an extension to consider one advisory opinion request in FY 2018.

⁴⁰ The Commission obtained extensions to consider six advisory opinion requests in FY 2019; two of those extensions were lengthened by the partial Federal government shutdown during the first and second quarters of FY 2019.

⁴¹ This corrects the figure in the 2020 Agency Financial Report, which indicated that 100% of legal guidance was provided within statutory and court-ordered deadlines. The Agency Financial Report did not take into account one rulemaking that the Commission approved after the statutory deadline, due to the lack of a Commission quorum for most of FY 2020. The Commission approved the rulemaking—which adjusted for inflation civil monetary penalties—in July 2020, when a quorum was briefly restored.

⁴² The Commission obtained extensions to consider five advisory opinion requests in FY 2021; one of those extensions was lengthened by the lack of a Commission quorum during the first quarter of FY 2021.

⁴³ The Commission obtained extensions to consider eleven advisory opinion requests in FY 2022.

⁴⁴ The Commission obtained extensions to consider four advisory opinion requests in FY 2023.

Supporting Indicators 3-1:

Measure Name	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
Percent of advisory opinions issued within 60-day and 20-day statutory deadlines	100% ⁴⁵	100% ⁴⁶	100% ⁴⁷	100% ⁴⁸	100% ⁴⁹	100%	100% ⁵⁰	100%	100%
Percent of court filings that meet all deadlines and rules imposed by the courts	99%	97%	98%	100%	100%	100%	100%	100%	100%

⁴⁵ The Commission obtained an extension to consider one advisory opinion request in FY 2018.

⁴⁶ The Commission obtained extensions to consider six advisory opinion requests in FY 2019; two of those extensions were lengthened by the partial Federal government shutdown during the first and second quarters of FY 2019.

⁴⁷ Due to the lack of a quorum for most of FY 2020, the Commission sought extensions from all advisory opinion requestors. Two advisory opinion requestors declined to grant an extension and, once the deadline for responding to those requests expired, the Commission notified those requestors that it was unable to approve an advisory opinion by the required affirmative vote of four commissioners.

⁴⁸ The Commission obtained extensions to consider five advisory opinion requests in FY 2021; one of those extensions was lengthened by the lack of a Commission quorum during the first quarter of FY 2021.

⁴⁹ The Commission obtained extensions to consider eleven advisory opinion requests in FY 2022.

⁵⁰ The Commission obtained extensions to consider four advisory opinion requests in FY 2023.

3C:2.4 Strategic Objective 4: Foster a Culture of High Performance

Leaders: Deputy Staff Director for Management and Administration/Chief Human Capital Officer and Deputy Chief Information Officer, Enterprise Architecture

One of the objectives from the FEC's Strategic Plan, FY 2022-2026, Foster a Culture of High Performance, cuts across the organization and reflects the agency's strategic priorities for improving the efficiency and effectiveness of its workforce and management processes. The FEC's primary measure of success in developing and maintaining a result-driven workforce is at the program level: a workforce that delivers results will meet the internal performance targets set by the Commission. Supporting targets and results are detailed in the charts below.

Strategies and Next Steps

The Commission understands that the success of its programs depends upon the skills and commitment of its staff. To ensure the agency can recruit and retain the best talent in support of its mission, the agency will work to increase strategic outreach and recruitment efforts and to provide a fair, impartial, inclusive and accessible work environment. The FEC is also committed to continuously improving the performance of staff in support of the agency's mission objectives. To ensure staff development opportunities and trainings are provided fairly, effectively and strategically in support of mission objectives, the FEC will work to develop and implement an agency-wide training program.

In recent years, the FEC has been challenged to recruit and retain talent necessary to meet the agency's workload and hiring goals. During FYs 2022 and 2023, the FEC identified additional strategic outreach platforms and partnerships to better ensure the agency's hiring efforts reach out to diverse and highly talented potential employees. During FY 2024 the agency will assess the results of these efforts in helping the Commission continue to build its diverse and high performing staff so that the most successful strategies can be fully implemented during FY 2025. In addition, the FEC has continued work to ensure staff retention by providing a fair, impartial, inclusive and accessible work environment.

With budget constraints continuing to affect the amount of funds that can be allocated to training, the FEC continues to focus on ensuring that mandatory training requirements are met first, along with training required to support activities that are deemed to be mission critical. The agency additionally maintains a robust online training library and encourages employees to use these resources to improve their skills. During FYs 2024 and 2025, the FEC will begin work to develop competency models for mission critical occupations within the agency. Once implemented, these models will help to ensure that critical training needs are met and that the FEC can more efficiently and effectively direct training funds to the most critical training needs in support of the agency's mission. In addition, these competency models will support the FEC's efforts to recruit highly talented employees with the skills necessary to meet the agency's mission objectives.

The FEC is undertaking several multi-year IT modernization projects to update the FEC's systems and data to use cloud-native architecture, improve services provided to the public and better ensure the security of the FEC's networks, systems and data. Modernizing and refactoring the agency's legacy applications, systems and data pipeline will help the FEC streamline the processing of information provided to the public while at the same time improving the systems and tools used by agency staff to provide services to

the public and ensure compliance with the campaign finance law.

In FY 2018, the FEC completed the migration of its website and one of its campaign finance databases from a physical datacenter to a cloud environment, allowing the agency to shut down one of its physical datacenters. This migration effort allowed the agency to reduce its physical datacenter footprint by 25 percent.

During FY 2020, the FEC conducted a study of its remaining legacy systems to develop a cloud migration plan for these legacy applications and systems. The cloud migration plan developed during FY 2020 also included recommendations for migrating the FEC's disaster recovery environment and the FEC's primary campaign finance database to a cloud environment.

During FY 2022, the FEC completed migrating legacy mission critical applications, systems and databases identified in the cloud migration plan.

In FY 2024, depending on available funding, the agency will begin to modernize and refactor the legacy systems that now reside in the cloud to adopt a cloud-native architecture. These projects may include modernizing the data pipeline to help improve the processing of data and the legacy applications used by the Commission for voting and document management. The FEC will also continue to build on the agency's successes in reducing its reliance on physical data centers.

In addition, the Commission's records management program continues to make advancements. FY 2024 will bring continued focus on updating the agency's Records Management Program and training staff on the agency and governmentwide records schedules, policies and responsibilities.

Progress Update for FY 2023

In accordance with the Update to Transition to Electronic Records Memorandum (M-23-07), the Commission has made progress toward the Memorandum's goal of managing all permanent records in an electronic format with appropriate metadata by June 30, 2024. The Commission previously received approval from the Archivist of the United States for its National Archives and Records Administration (NARA) Form 1005 (NA-1005) Verification for Implementing GRS 6.1. This established the Commission's agency-wide Email Management Policy via the Capstone approach. In support of that goal, the Commission has continued to develop the implementation of that policy. Further, to conform with Executive Order 13556, the Commission is also developing a Directive on Controlled Unclassified Information, which will develop a program to manage information that is not classified for national security purposes but nevertheless requires safeguarding or dissemination controls. In FY 2023, the agency also hired its first fulltime records manager to help support records management initiatives.

The FEC also continued to implement recommendations from the agency's FY 2020 cloud migration study. In FY 2023, the FEC worked to migrate network and storage devices and shut down our physical, datacenter-based disaster recovery site. The agency also focused on reducing the footprint of our physical data center-based production site. In addition, the FEC worked to implement a disaster recovery strategy for its newly migrated cloud assets. The agency also continued work to modernize and refactor the legacy systems that now reside in the cloud to adopt a cloud-native architecture. This project includes modernizing the data pipeline to enhance data processing and leveraging machine learning to automate

segments of the review process, aligning with the standards employed by our Reports Analysis Division to ensure compliance with FECA. This holistic initiative underscores the FEC's commitment to staying at the forefront of technological advancements and optimizing operational processes.

Performance Goal 4-1: Foster a workforce that delivers results.

Key Indicator: Commission-required quarterly updates meet targeted performance goals.								
FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
73%	53% ⁵¹	73% ⁵²	87% ⁵³	87% ⁵⁴	65%	67% ⁵⁵	65%	65%

⁵¹ The agency’s ability to meet its target for this performance goal during FY 2019 was negatively impacted by the lapse in appropriations from December 22, 2018 to January 25, 2019.

⁵² The agency’s performance under this measure was negatively impacted by the lack of a quorum for most of FY 2020.

⁵³ The agency’s ability to meet its target for this performance goal during FY 2021 was negatively impacted by staff shortages and an unprecedented volume of filings received during the 2020 election cycle.

⁵⁴ The agency’s ability to meet its target for this performance goal during FY 2022 was negatively impacted by the lack of a quorum for most of 2020 and staffing shortages during FY 2022.

⁵⁵ Although this target was met, the agency’s performance toward this target during FY 2023 was negatively impacted by staff shortages and the volume of filings received during the 2022 election cycle.

Supporting Indicators 4-1:

Measure Name	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Target	FY 2023 Actual	FY 2024 Target	FY 2025 Target
Develop and implement an agency-wide training program	N/A	N/A	N/A	N/A	Began reviewing current program and developing evaluation plan	N/A	N/A	Pilot development of competency models for mission critical occupations	Implement competency models for mission critical occupations; begin developing guidance for skills gap analysis
Increase strategic outreach and recruitment efforts to ensure the FEC continues to attract and retain a diverse and high-performing workforce	N/A	N/A	N/A	N/A	Evaluated current recruitment program and conducted in-depth assessment of piloted expanded workplace flexibilities. Developing limited initial recommendations based on budget constraints	N/A	N/A	Gather data to evaluate success of newly implemented strategic outreach and recruitment efforts	Implement outreach and recruitment strategies based on data collected during in FY 2024
Meet Records Management Presidential Directive milestones	73%	76%	80%	81%	82%	As specified in Presidential Directive	84% of 2023 milestones met	As specified in Presidential Directive	As specified in Presidential Directive
Reduce reliance on physical data centers	100%	N/A	N/A	N/A	N/A	100% of targeted applications migrated to cloud	100%	Reduce reliance on physical data centers 60%	N/A

3D: Implementation Factors

3D:1 Major Management Priorities, Challenges and Risks

The FEC identified in the agency's FY 2022-2026 Strategic Plan a management objective, Foster a Culture of High Performance, that sets out strategies and measures designed to help the agency deliver greater impact through innovation, increase effectiveness and efficiency, and improve service. Detailed information about this Strategic Objective is available in section 3C:2.4, above. In addition, the Commission has identified management initiatives as strategic activities in the strategic plan to support its mission objectives where those activities are deemed crucial to the success of the objective.

The FEC continues to confront a heavy workload and is working to rebuild its staffing levels, as budget permits. Over the past decade, the FEC has been able to meet its statutory mission primarily due to efficiencies gained by reassigning staff using details, maximizing operational efficiencies through reorganizations, and improving technology and processes, among other efficiencies. However, in recent years the FEC has begun to exhaust the benefits that can be gained through such efficiencies and has, in some situations, reduced performance targets in response to these reductions in staffing amid increasing campaign finance activity.

During FY 2023 the FEC partnered with the Office of Personnel Management's HR Solutions to improve the FEC's staffing, classification and performance management processes. Goals for the FEC's human capital management processes are detailed in section 3C:2.4.

Each year the FEC's Inspector General (IG) is required to provide a summary and assessment of the most serious management and performance challenges facing the FEC. In a memorandum dated November 1, 2023, the IG identified five challenge facing management:

- Human capital management
- Growth of election contributions
- Budget
- Identifying and regulating unlawful foreign contributions
- Cybersecurity

The IG's assessment and the FEC's response are included in the FEC's FY 2023 Agency Financial Report, available on the FEC website at <https://www.fec.gov/resources/cms-content/documents/FEC-FY-2023-Agency-Financial-Report.pdf>

3D:2 Data Validation and Verification

OMB Circular A-136, as revised, and the *GPRAMA Modernization Act of 2010 (GPRAMA)* require each agency to describe the accuracy and reliability of the data used to measure progress toward its performance goals, including an identification of the means used to verify and validate the measured values and the source for the data. Agencies are encouraged to determine the appropriate frequency of data validation and verification (V&V) needed for the intended use and should allocate appropriate resources to carry out validation and verification on an appropriately periodic basis.

Many of the FEC's performance measures set goals for the timely completion of tasks that are either internally generated or triggered through requests, reports or complaints filed with the Commission. As a result, the universe of data the FEC must collect and verify to support its performance information is generally small, centrally located and easily verified. The FEC tracks data to support its performance measures through its internal databases and with spreadsheets maintained by program managers. In cases where performance is measured based on the timeframe for completing a decision, matter or inquiry, the universe of data to be measured and the dates on which performance milestones are reached are tracked electronically. Data provided by the agency's litigation, policy, enforcement and compliance offices are reported at least quarterly to the Commission, which provides regular opportunities for the accuracy of the data to be verified.

The FEC also tracks its performance in making campaign finance information available to the public. Reports filed with the FEC represent the largest universe of data the agency must consider in determining its performance. Campaign finance reports and statements filed electronically are made available on the FEC website nearly instantaneously, and reports and statements filed on paper with the FEC are placed on the FEC website within 48-hours of receipt. In addition, FEC staff process the data contained in campaign finance reports so that the information can be accurately organized, categorized and searched in the agency's databases. The FEC sets as a performance goal processing 95 percent of reports through its data and coding system within 30 days. The entry and completion dates for each report are retrievable through the FEC's electronic systems.

The FEC has completed a broad review of its methods for verifying and validating performance as part of its overall assessment of its strategic and performance plans. The FEC has identified senior-level staff and key managers to serve as goal leaders for each area of the strategic and performance plans. In addition, each strategic activity in the Strategic Plan has been assigned one or more program managers, who are responsible for the delivery and performance reporting of that activity. These managers will be serving as measure managers and data quality leads to ensure the completeness, consistency and accuracy of the reported data of their respective strategic activity.

3E: Conclusion

As described in this section, the FEC's plans and strategies for FYs 2024 and 2025 are designed to ensure that the agency is well-prepared to provide full campaign finance transparency to the public despite the expected increase in campaign finance activity.

Office of Inspector General's Fiscal Year 2025 Budget Request

The Inspector General Reform Act (Pub. L. 110-409) was signed by the President on October 14, 2008. Section 6(f)(1) of the Inspector General Act of 1978, 5 U.S.C. app., was amended to require certain specifications concerning Office of Inspector General (OIG) budget submissions each fiscal year.

Each Inspector General (IG) is required to transmit a budget request to the head of the establishment or designated Federal entity to which the IG reports specifying:

- the aggregate amount of funds requested for the operations of the OIG;
- the portion of this amount requested for OIG training, including a certification from the IG that the amount requested satisfies all OIG training requirements for that fiscal year; and
- the portion of this amount necessary to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

The head of each establishment or designated Federal entity, in transmitting a proposed budget to the President for approval, shall include:

- an aggregate request for the OIG;
- the portion of this aggregate request for OIG training;
- the portion of this aggregate request for support of the CIGIE; and
- any comments of the affected IG with respect to the proposal.

The President shall include in each budget of the U.S. Government submitted to Congress:

- a separate statement of the budget estimate submitted by each IG;
- the amount requested by the President for each OIG;
- the amount requested by the President for training of OIGs;
- the amount requested by the President for support of the CIGIE; and
- any comments of the affected IG with respect to the proposal if the IG concludes that the budget submitted by the President would substantially inhibit the IG from performing the duties of the OIG.

Following the requirements as specified above, the OIG of the Federal Election Commission submits the following information relating to the OIG's requested budget for fiscal year 2025:

- \$2,280,945 in the aggregate for the operations of the OIG;
- \$40,000 of that amount for OIG training; and
- \$9,124 of that amount to support the CIGIE.

I, Christopher L. Skinner, certify as the IG of the Federal Election Commission that the amount I have requested for training satisfies all OIG training requirements for fiscal year 2025.

OIG Summary of Outstanding FEC Audit Recommendations

The Good Accounting Obligation in Government Act requires each agency to include, in its annual budget justification, a report that identifies each public recommendation issued by the agency's inspectors general (IGs) which has remained unimplemented for one year or more from the annual budget justification submission date. Accordingly, the OIG reports a total of 7 open recommendations with the FY25 budget justification.

<i>OIG Audits/Inspections Reviews/Investigations</i>	<i>Total Recommendations</i> ⁵⁶	<i>Total Closed</i> ⁵⁷	<i>Total Open as of August 2023</i> ⁵⁸
Inspection of the FEC's Disaster Recovery Plan and Continuity of Operations Plans <i>10.5 years outstanding</i>	2	0	2
Allegations of Bias against FEC Personnel Reviewing 58th Presidential Inaugural Committee Reports <i>> 2 years outstanding</i>	4	0	4
Review of FEC Contracting Officers Representative Program <i>> 1 year outstanding</i>	2	1	1
Total Outstanding Recommendations			7

⁵⁶ There were 8 total open recommendations from these three reports as of July 2022. A total of 25 recommendations have been active during the year ending August 2023, including 14 active recommendations less than one year outstanding.

⁵⁷ A total of 5 open recommendations were closed during the year ending August 2023.

⁵⁸ There are 13 open recommendations that have been outstanding for less than a year as of August 2023. Along with the 7 open recommendations outstanding for one year or more, this brings the total number of open recommendations to 20.