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Reporting

July Reporting Reminder

The following reports are due in July:

- All principal campaign committees of House and Senate candidates must file a quarterly report by July 15, 2014. The report covers financial activity from April 1 (or the day after the closing date of the last report) through June 30. If the committee filed a pre-primary report covering a portion of that period, the July Quarterly should pick up where that report left off.
- Principal campaign committees of Presidential candidates must file a report by July 15, if they are quarterly filers, or by July 20, if they are monthly filers. The quarterly report covers activity from April 1 (or the day after the closing date of the last report) through June 30. The monthly report covers the month of June.
- National party committees, political action committees (PACs) following a monthly filing schedule and state, district and local party committees that engage in reportable "federal election activity" must file a monthly report by July 20. This report covers activity for the month of June. 11 CFR 104.5. Other PACs and party committees must file a quarterly report by July 15, covering activity through June 30. If the committee filed a pre-primary report covering a portion of that period, the July Quarterly should pick up where that report left off.

Since the July 20 deadline falls on a weekend in 2014, monthly filers using methods other than electronic filing or registered, certified or overnight mail must ensure that their reports are received by the Commission's (or the Secretary of the Senate's) close of business on the last business day before the deadline (i.e., Friday, July 18).

The Commission will host [reporting webinars](#) for candidates on June 19 and for PACs and party committees on June 25 to help filers prepare their reports.

Notification of Filing Deadlines

In addition to publishing this article and the online reporting tables, the Commission notifies committees of filing deadlines through reporting reminders called prior notices. Prior notices are distributed exclusively by electronic mail. For that reason, it is important that every committee update its [Statement of Organization \(FEC Form 1\)](#) to disclose a current email address. Each committee may list up to two email addresses. To amend Form 1, electronic filers must submit Form 1 filled out in its entirety. Paper filers should include only the committee's name, address, FEC identification number and the updated or changed portions of the form.

Treasurer's Responsibilities

The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Federal Election Campaign Act ("the Act") and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

Filing Electronically

Under the Commission's mandatory electronic filing regulations, individuals and organizations that receive contributions or make expenditures, including independent expenditures, in excess of \$50,000 in a calendar year—or have reason to expect to do so—must file all reports and statements with the FEC electronically.^[1] Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the applicable filing deadline. 11 CFR 100.19(c). Electronic filers who instead file on paper or submit an electronic report that does not pass the Commission's validation program by the filing deadline will be considered nonfilers and may be subject to enforcement actions, including administrative fines. 11 CFR 104.18(a)(2) and (e).

Senate committees and other committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules, but, in addition to their official report filed with the Secretary of the Senate, the committees may file an unofficial copy of their reports with the Commission in order to speed disclosure.

The Commission's electronic filing software, FECFile, is free and can be downloaded at <http://www.fec.gov/elecfil/updatelist.html>. All reports filed after March 13, 2014, must be filed in Format Version 8.1.0.1. Reports filed in previous formats will not be accepted. Filers may also use commercial or privately developed software as long as the software meets the Commission's format specifications, which are available on the Commission's website. Committees using commercial software should contact their vendors to ensure their software meets the latest specifications.

Timely Filing for Paper Filers

Registered and Certified Mail. Reports sent by registered or certified mail must be post-marked on or before the mailing deadline to be considered timely filed. A committee sending its reports by certified or registered mail should keep its mailing receipt with the U.S.

¹ The regulation covers individuals and organizations required to file reports of contributions and/or expenditures with the Commission, including any person making an independent expenditure. 11 CFR 104.18(a). Disbursements for "electioneering communications" are not considered "expenditures" and thus do not count toward the \$50,000 threshold for mandatory electronic filing. See 11 CFR 104.18(a).

Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by certified mail. A committee sending its report by registered mail should keep its proof of mailing. Note that a certificate of mailing from the USPS is not sufficient to prove that a report is timely filed using registered, certified or overnight mail. See 2 U.S.C. §434(a)(5) and 11 CFR 100.19 and 104.5(e) and (i).

Overnight Mail. Reports filed via overnight mail [^{fn2}] will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. A committee sending its reports by Express or Priority Mail, or by an overnight delivery service, should keep its proof of mailing or other means of transmittal of its reports. See 2 U.S.C. §434(a)(5) and 11 CFR 100.19 and 104.5(e).

Other Means of Filing. Reports sent by other means—including first class mail and courier—must be received by the FEC (or the Secretary of the Senate) before close of business on the filing deadline. See 11 CFR 100.19 and 104.5(e).

Forms may be downloaded at <http://www.fec.gov/info/forms.shtml> and are available from FEC Faxline, the agency's automated fax system (202/501-3413). The [2014 Reporting Schedule](#) is also available on the FEC's website at http://www.fec.gov/info/report_dates_2014.shtml. For more information on reporting, call the FEC at 800/424-9530 or 202/694-1100.

State, District and Local Party Committees

State, district and local party committees that engage in reportable "federal election activity" must file on a monthly schedule. See 11 CFR 300.36(b) and (c)(1). Other committees may file on a quarterly basis in 2014. See 11 CFR 104.5(c)(1)(i).

National Party Committees

National committees of political parties must file on a monthly schedule. 2 U.S.C. §434(a)(4)(B) and 11 CFR 104.5(c)(4).

Political Action Committees

PACs (separate segregated funds, nonconnected committees, hybrid committees and independent expenditure-only committees, aka Super PACs) that filed on a semi-annual basis in 2013 file on a quarterly basis in 2014. Monthly filers continue on the monthly schedule. PACs may change their filing schedule, but must first notify the Commission in writing. Electronic filers must file this request electronically. A committee may change its filing frequency only once a year, and after giving notice of change in filing frequency to the Commission and receiving an approval notice, all future reports must follow the new filing frequency. 11 CFR 104.5(c).

Additional Information

For more information on 2014 reporting dates:

- Call and request the reporting tables from the FEC at 800/424-9530 or 202/694-1100;
- Fax the reporting tables to yourself using the FEC's Faxline (202/501-3413, document 586); or

² "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight service with which the report is scheduled for next business day delivery and is recorded in the service's online tracking system.

- Visit the FEC's web page at http://www.fec.gov/info/report_dates_2014.shtml to view the reporting tables online.

(Posted 06/11/2014; By: Katherine Carothers)

Resources:

- [2014 Reporting Dates](#)
- [Compliance Map](#)
- [FEC Electronic Filing](#)

Litigation

Center for Competitive Politics v. FEC

On June 9, the Center for Competitive Politics ("CCP") filed suit in U.S. District Court for the District of Columbia to challenge the Commission's denial of its Freedom of Information Act ("FOIA") request. CCP asks the court to declare that the FEC violated FOIA and to compel the agency to provide the requested document.

Background

CCP has sought a document related to the Commission's consideration of a complaint Public Citizen filed against Crossroads Grassroots Policy Strategies ("Crossroads GPS"), designated Matter Under Review 6396. The [October 2010 complaint](#) alleged that Crossroads GPS, a 501(c)(4) organization, was violating the law by not registering and reporting with the FEC as a political committee.

On December 3, 2013, the Commission deadlocked 3-3 on whether to find reason to believe that Crossroads GPS violated the Federal Election Campaign Act (the Act) and closed the case.

On January 8, 2014, the three Commissioners who voted not to proceed with an investigation released a "Statement of Reasons." This statement referred to a "First General Counsel's Report" that was circulated to Commissioners on June 22, 2011. According to the Statement of Reasons, the General Counsel withdrew that report and, on November 21, 2012, circulated a revised First General Counsel's Report. The First General Counsel's Report circulated on November 21, 2012, has been placed on the public record, but the withdrawn report has not.

Complaint

On April 3, 2014, CCP submitted a FOIA request to the FEC seeking the withdrawn First General Counsel's Report for MUR 6396. According to its court complaint, CCP received a response from the Commission's FOIA Requester Service Center on April 10 that "broadly denied" its request, citing "the deliberative process privilege, attorney work-product privilege, and/or attorney-client privilege." The response also noted that portions of the document are exempt from disclosure because they could divulge techniques and procedures for law enforcement investigations or prosecutions.

On April 29, CCP filed an appeal of the FOIA decision, but the Commission was unable to render an opinion by a majority vote on whether to approve or deny that appeal. CCP's [court complaint](#) contends that withholding the withdrawn First General Counsel's Report "without explaining the rationale for that decision is arbitrary and capricious," and is not justified by any FOIA exemption. CCP seeks declaratory and injunctive relief.

U.S. District Court for the District of Columbia: Case No. 14-970.

(Posted 06/13/2014; By: Isaac Baker)

Resources:

- [FEC Enforcement Query System](#)
- [Center for Competitive Politics v. FEC Ongoing Litigation Page](#)

Garcia v. FEC

On May 27, 2014, the US District Court for the Northern District of Texas granted the FEC's motion for summary judgment and dismissed Garcia for Congress's challenge to an administrative fine assessed against the committee and its treasurer. The decision lets stand a \$15,220 administrative fine stemming from the campaign's failure to file two required 48-hour notices of campaign contributions.

Background

Under the Federal Election Campaign Act and Commission regulations, campaign committees must notify the Commission of any contribution of \$1,000 or more received less than 20 days but more than 48 hours before the day of any election in which the candidate is running. 2 U.S.C. §434(a); 11 CFR 104.5(f). The "48-Hour Notice" requirement applies to all campaign contributions and loans, including those from the candidate. See 11 CFR 100.52(a) and (b).

On February 8, 2013, the Commission notified Garcia for Congress, the authorized campaign committee of Domingo Garcia, and Swati Patel, the committee's treasurer (collectively, "the plaintiffs") that it found reason to believe the campaign violated the Act by failing to file 48-hour notices for two loans totaling \$150,000 that Mr. Garcia made to his campaign. Based on the schedule of penalties at 11 CFR 111.44, the Commission assessed an administrative fine of \$15,220 against the Garcia campaign and its treasurer.

The plaintiffs challenged the Commission's finding in a letter received by the agency's Office of Administrative Review on March 1, 2013. After considering the committee's written response, the FEC's Reviewing Officer recommended no changes to the Commission's preliminary determination and assessment of an administrative fine. On May 20, 2013, the Commission adopted the recommendation and made a final determination that Garcia for Congress and its treasurer violated the Act and imposed a civil penalty of \$15,220.

Litigation and Court Decision

On June 24, 2013, the plaintiffs filed suit to challenge the Commission's decision. Among other things, the plaintiffs argued that the Commission "ignored that the FECA

contains a safe harbor provision," and that the fine assessed was "grossly disproportionate to what Plaintiffs failed to timely disclose." In later court filings, the plaintiffs made additional allegations and arguments concerning treasurer inexperience and unavailability; whether candidate loans constitute contributions subject to the 48-hour notice requirement; and the amount of the penalty.

On May 27, 2014, the court granted the FEC's Motion for Summary Judgment. The court concluded that, based upon the record of the plaintiffs' failure to file the reports timely and no evidence that a factual error or penalty miscalculation was made in the Commission's findings, there was a rational basis for the Commission's decision. The court determined that any additional arguments by the plaintiffs were waived since they were not originally presented to the FEC during the original challenge to the Commission's findings.

The court dismissed the plaintiffs' claims with prejudice.

(Posted 6/2/2014; By: Zainab Smith)

Resources:

- [Garcia v. FEC Ongoing Litigation Page](#)
- Record Article: [Garcia for Congress v. FEC](#)
- [Administrative Fines Program](#)

Compliance

FEC Cites Committee for Failure to File 12-Day Pre-Primary Report for South Carolina

On June 6, 2014, the Federal Election Commission cited a campaign committee for failing to file its 12-Day Pre-Primary Election Report required by the Federal Election Campaign Act of 1971, as amended (the Act), for a primary election being held on June 10, 2014.

As of June 6, 2014, the required disclosure report had not been received from:

- Benjamin Dunn For Senate (SC)

The reports were due on May 29, 2014, and should have included financial activity for the period of April 1, 2014 through May 21, 2014.

The Commission notified committees involved in primary election of their potential filing requirements on May 5, 2014. Those committees that did not file on the due date were sent notification on May 30, 2014 that their reports had not been received and that their names would be published if they did not respond within four business days. Some individuals and their committees have no obligation to file reports under federal campaign finance law, even though their names may appear on state ballots. If an individual raises or spends \$5,000 or less, he or she is not considered a "candidate" subject to reporting under the Act.

Other political committees that support Senate and House candidates in elections, but are not authorized units of a candidate's campaign, are also required to file quarterly

reports, unless they report monthly. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers is decided on a case-by-case basis. Federal law gives the FEC broad authority to initiate enforcement actions, and the FEC has implemented an Administrative Fine program with provisions for assessing monetary penalties.

(Posted 06/06/2014)

Resources:

- [FEC Non-Filer Press Release](#)
- [Compliance Map](#)
- [The Administrative Fine Program](#)
- [FEC Reporting Dates](#)
- [Late Filing and Other Enforcement Penalties](#) (Reports Analysis Division)

FEC Cites Committee for Failure to File 12-Day Pre-Convention Report for Virginia

On June 3, 2014, the Federal Election Commission cited a campaign committee today for failing to file the 12-Day Pre-Convention Election Report required by the Federal Election Campaign Act of 1971, as amended (the Act), for a Virginia convention that is being held on June 7, 2014.

As of June 2, 2014, the required disclosure report had not been received from:

- Tony DeTora for Senate (VA)

The report was due on May 26, 2014, and should have included financial activity for the period April 1, 2014, through May 18, 2014. If sent by certified or registered mail, the report should have been postmarked by May 23, 2014.

The Commission notified committees involved in the Virginia Republican Party Senate Convention of their potential filing requirements on May 2, 2014. Those committees that did not file on the due date were sent notification on May 27, 2014 that their reports had not been received and that their names would be published if they did not respond within four business days.

Some individuals and their committees have no obligation to file reports under federal campaign finance law, even though their names may appear on state ballots. If an individual raises or spends \$5,000 or less, he or she is not considered a "candidate" subject to reporting under the Act.

Other political committees that support Senate and House candidates in elections, but are not authorized units of a candidate's campaign, are also required to file quarterly reports, unless they report monthly. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers is decided on a case-by-case basis. Federal law gives the FEC broad authority to initiate enforcement actions, and the FEC has implemented an Administrative Fine program with provisions for assessing monetary penalties.

(Posted 06/04/2014)

Resources:

- [FEC Non-Filer Press Release](#)
- [Compliance Map](#)
- [The Administrative Fine Program](#)
- [FEC Reporting Dates](#)
- [Late Filing and Other Enforcement Penalties](#) (Reports Analysis Division)

FEC Cites Committees for Failure to File 12-Day Pre-Primary Reports for June 3 Primaries

On May 30, 2014, the Federal Election Commission cited five campaign committees for failing to file their 12-Day Pre-Primary Election Reports required by the Federal Election Campaign Act of 1971, as amended (the Act), for primary elections being held on June 3, 2014.

As of May 30, 2014, the required disclosure report had not been received from:

- Committee to Elect Ron Kabat (CA-20)
- LeFlore for Congress (AL-01)
- Friends of Stace Nelson (SD)
- Veronica for Congress (CA-41)
- Kmiec Congress 2014 (CA-26)

The reports were due on May 22, 2014, and should have included financial activity for the period of April 1, 2014 through May 14, 2014.

The Commission notified committees involved in primary election of their potential filing requirements on April 28, 2014. Those committees that did not file on the due date were sent notification on May 23, 2014 that their reports had not been received and that their names would be published if they did not respond within four business days. Some individuals and their committees have no obligation to file reports under federal campaign finance law, even though their names may appear on state ballots. If an individual raises or spends \$5,000 or less, he or she is not considered a "candidate" subject to reporting under the Act.

Other political committees that support Senate and House candidates in elections, but are not authorized units of a candidate's campaign, are also required to file quarterly reports, unless they report monthly. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers is decided on a case-by-case basis. Federal law gives the FEC broad authority to initiate enforcement actions,

and the FEC has implemented an Administrative Fine program with provisions for assessing monetary penalties.

(Posted 06/02/2014)

Resources:

- [FEC Non-Filer Press Release](#)
- [Compliance Map](#)
- [The Administrative Fine Program](#)
- [FEC Reporting Dates](#)
- [Late Filing and Other Enforcement Penalties](#) (Reports Analysis Division)

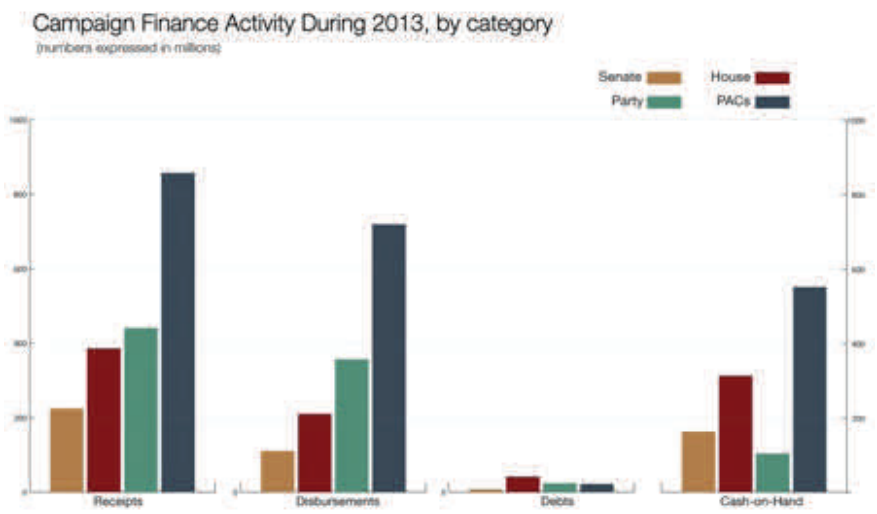
Statistics

FEC Summarizes First Year of Campaign Activity for 2013-2014 Election Cycle

Congressional candidates running in the 2013-2014 election cycle received \$610.5 million and disbursed \$320.7 million in 2013, according to an analysis by the Federal Election Commission.

The 150 candidates running for Senate in 2014 – as well as in the 2013 special elections – reported total receipts of \$224.5 million, disbursements of \$110.5 million, debts of \$7.8 million and cash-on-hand of \$162.4 million during the period.

Meanwhile, 936 candidates running for the House of Representatives in 2014 and last year’s special elections reported combined total receipts of \$386 million, disbursements of \$210.2 million, debts of \$41.4 million and cash-on-hand of \$312.5 million in 2013. The study of campaign finance reports filed with the agency covering activity between January 1 and December 31, 2013 did not include filings from presidential candidate committees.



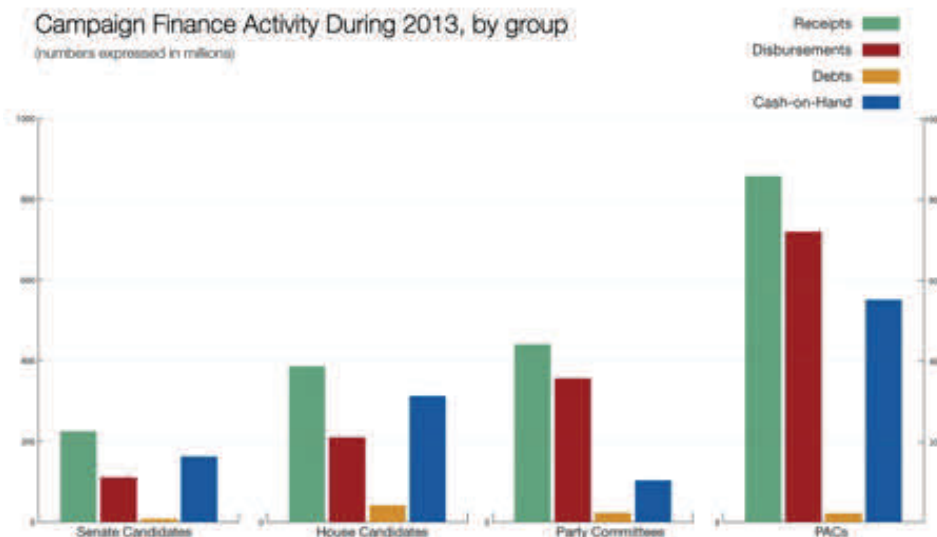
(Click image to enlarge.)

National, state and local political party committees reported combined total receipts of \$440.6 million in federal funds for the one-year period, disbursements of \$356.4 million, debts of \$23.4 million, and cash-on-hand of \$103.5 million as of December 31, 2013.

Based on reports filed with the Commission for 2013, 6,849 federal PACs reported total receipts of \$857.1 million, disbursements of \$719.3 million, debts of \$21.9 million, and combined cash-on-hand of \$550.9 million. Contributions by PACs to congressional candidates seeking office in the 2013-2014 election cycle totaled \$186 million as of December 31, 2013.

All independent expenditures reported to the Commission in 2013 in connection with congressional elections in the 2013-2014 election cycle totaled \$26.1 million.

Independent Expenditure-Only Political Committees accounted for \$17.5 million of all independent expenditures disclosed to the Commission, Committees with Non-Contribution Accounts reported \$174,762, and other PACs reported \$2.8 million. Independent expenditures made by persons other than political committees totaled \$3.4 million, and party committees reported independent expenditures totaling \$2.3 million.



(Click image to enlarge.)

Data summary tables for reports submitted to the Commission through December 31, 2013 are listed below for:

- [Congressional candidate committees;](#)
- [Political party committees;](#)
- [PACs;](#) and
- [Independent expenditures.](#)

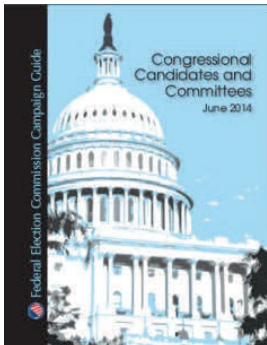
(Posted 06/11/2014; By Alex Knott. Graphics by James Jones)

Resources:

- [FEC Press Release](#)
- [Campaign Finance Disclosure Portal](#)

Outreach

Updated Candidate Guide Now Available



The 2014 *Campaign Guide for Congressional Candidates and Committees* is [now available on the Commission's website](#).

This *Guide* includes current contribution limits and lobbyist bundling thresholds; incorporates recent advisory opinions and interpretive rules; and has new examples for reporting ultimate payees and reporting last-minute contributions.

The [online PDF version](#) of the *Guide* also includes quick links to chapters and reporting examples, as well as hyperlinks to FEC reference materials.

This edition of the *Guide* will be available online only. The Commission will print an updated 2015-16 *Guide* early next year.

(Posted 06/20/2014)

Resources:

- [FEC Educational Outreach Page](#)
- [Resources for Committee Treasurers](#)