

NGP Software, Inc.
1225 Eye Street, NW #1225
Washington, DC 20005

Tuesday, July 21, 2009

Federal Election Commission
999 E Street, NW
Washington, DC 20463
Via Email

Dear FEC:

Attached please find the comments of NGP Software, Inc., pursuant to the FEC's request for public comment on its use of the internet.

Should you have any questions or need any additional information, please contact Nathaniel Pearlman at 202-204-0151 or ngp@ngpsoftware.com.

Sincerely,

Nathaniel Pearlman
Founder
NGP Software, Inc.

Comments of NGP Software, Inc

Restructuring the FEC website

We echo the comments of the Sunlight Foundation with respect to making the FEC's website more user-friendly, employing plain language and updated technologies.

The FEC website is unquestionably difficult to navigate. Basic functions like finding forms and finding and using search interfaces should be redesigned. Any strong web company would be able to do a complete website re-architecture, improving usability and search capabilities.

It would be helpful to enable automatic notifications or RSS feeds of information about specific committees. That way, rather than checking constantly for updates, a user could sign up and receive them automatically.

Based on our understanding of your budget constraints, it would be wise for the FEC to focus on building features of your site and tools that are within scope, and avoid coding of contributions like OpenSecrets, or otherwise duplicating functionality available from the community of non-profits and campaign tool vendors that support the FEC and its mission.

Upgrade data formats and retrievability

We think that the FEC should improve their data architecture.

With respect to reports available on the FEC website (or FTP site), the file formats for summary and detailed report data look like they have not been much updated since the 1980s, and are difficult for lay people to understand. A simple upgrade to a CSV format would make that data far less cumbersome to work with, and far more accessible to the public.

There have been comments made that the data should be submitted and accessible in an industry-standard XML format. We are not sure this is the right direction to go. XML is a verbose markup language, and given the quantity of data involved in some of the larger FEC disclosure filings, we expect that file sizes would balloon tremendously, to the point of non-usability.

We suggest that the FEC look at the experience that the IRS had with their system for filing of 8872 reports, which are comparable in function to an FEC filing. The IRS used an XML format for their files. Their system had difficulty with large filings because of the more intensive nature of processing XML files. As it is, the FEC's infrastructure was stretched during the last election cycle. The electronic filing office had to essentially schedule the filings to accommodate some of the largest of committees. Adding additional data overhead to that process would only exacerbate that problem.

We agree with other comments that fields like employer and occupation should have sufficient space to allow all possibilities; that back-end data should be moved into a modern structure to enable queries; and that data validation rules to prohibit bad data should be improved.

Solve last-minute filing rush.

The FEC could greatly diminish the last minute filing rush by embargoing reports filed early and posting them online after filing deadline.

Many campaigns hold their reports until late on the date of filing to avoid giving opposition/press extra time to mine them. This creates a rush to file at the last minute, burdening FEC servers and technical support at commercial software providers. It also creates a system where FEC staff is often unavailable to solve potential issues because they are not available at 11:45 PM when the filings are submitted. This problem could be reduced greatly by this modest and inexpensive change.

Better protect privacy of donors while improving data.

While it is important to disclose donor contribution to federal campaigns and PACs, the FEC should do a better job of protecting the personal information of those who contribute.

Donor information is not supposed to be used for solicitation or commercial purposes, but currently, list theft is a problem.

One possibility is to limit the information published on the FEC web site to name, city, state, zip code rather than full physical home address.

Short of that, the FEC currently allows “salting” of donor information with “fake” donors so that campaigns or other organizations that download FEC information and then use it for fundraising purposes can be caught. This ability could be built into the FECFile software to make salting easier.

Our suggestion is that rather than putting the onus on protecting donor information on campaigns and PACs, the FEC could implement salting system-wide, thereby providing better protection to all donors.

Re-implement FECprint/FECload vendor tools as open source, but retain FECFile as a desktop product.

Campaign/organization software vendors and their clients would be well served if the FECprint/FECload vendor tools for submitting reports were upgraded and open sourced. This would allow current and new vendors of commercial software to more easily and completely integrate their software for filing.

Open sourcing of FECFile, however, does not strike us as the correct move here. For one, the FEC would still need to support the application to keep it current with the latest regulations, something that cannot be left to the community. The FEC’s mandate is to “promulgate standards to be used by vendors” and “make a copy of software that meets the standards promulgated” (2 U.S.C. §434(a)(12)). Currently, FECFile serves as a standard for disclosure that commercial applications need to mimic.

We think that the users of FECFile are fairly well served. FECFile, which is free, is the program of choice for very small operations, many of which do not have reliable web connections and who are accustomed to the quick entry and easy navigation of a Windows product. The FEC should remember that the wholesale changing of that application interface will result in substantial headaches for a substantial user community who are accustomed to the current version.

The FECFile software should also be managed by the FEC which has mission responsibility for filing standards.

Vendor certification

Vendor certification for electronic filing is a burden, but we support it.

Many states require this, so we have a variety of experiences with such programs. Some are successful and ensure that minimum standards are met. The goal should be the least burdensome way of ensuring that standards are met.

California is a good state to refer to as a model. California gives vendors sample forms and asks them to re-create them in their software. This state is able to respond rapidly, and ensure that filings are generated properly. On top of that layer, they have vendor tools, also initially developed by NIC (FEC's current vendor) that provide similar validation of each filing.

Other states that are less successful with vendor certification in our view include Michigan and Kentucky. A lot of that has to do with responsiveness—Michigan has a three plus month turnaround time, and Kentucky's process took over a year.