



APPROVED DECEMBER 14, 2017

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
WEDNESDAY, NOVEMBER 8, 2017**

PRESENT:

Steven T. Walther, Chairman, presiding

Caroline C. Hunter¹, Vice Chair

Lee E. Goodman, Commissioner

Matthew S. Petersen, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director

Lisa Stevenson, Acting General Counsel

Dayna C. Brown, Secretary and Clerk

¹ Vice Chair Hunter participated by telephone.

Chairman Steven T. Walther called the Federal Election Commission to order in an open meeting at 10:45 A.M. on Wednesday, November 8, 2017 with a quorum present.

**I. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON THE NY
REPUBLICAN FEDERAL CAMPAING COMMITTEE (NYR) (A13-11)**

**Memorandum from the Chief Compliance Officer and
Audit Division dated October 19, 2017**

Agenda Document No. 17-51-A

This matter was withdrawn by the Audit Division, and was therefore not discussed by the Commission.

Chairman Walther recognized Commissioner Petersen who

MOVED to suspend the rules on the timely submission of agenda documents in order that the Commission may consider Agenda Document Nos. 17-15-A, 17-17-A, 17-17-B, and 17-17-C, with respect to the FEC Email Management Policy.

The motion carried by a vote of 5-0 with Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voting affirmatively for the decision.

II. FEC EMAIL MANAGEMENT POLICY (WITHDRAWAL AND RESUBMISSION)

Memorandum from the Acting Deputy Staff Director for Management and Administration dated November 9, 2016

**Agenda Document No. 17-15-A
(Submitted Late)**

(Edward Holder, Acting Deputy Staff Director)

**Memorandum from Commissioner Ellen L. Weintraub
dated May 25, 2016**

**Agenda Document No. 17-17-A
(Submitted Late)**

**Memorandum from Chairman Steven T. Walther
dated November 7, 2017**

**Agenda Document No. 17-17-B
(Submitted Late)**

**Memorandum from Chairman Steven T. Walther
dated November 8, 2017**

**Agenda Document No. 17-17-C
(Submitted Late)**

**Agenda Document No. 17-35-B (Draft B)
(Submitted Late)**

Chairman Walther recognized Mr. Edward Holder, Acting Deputy Staff Director for Management and Administration who stated that the document before the Commission was a response to the National Archives and Records and Administration's (NARA) requirement that the agency create an Email Management Policy and submit it to NARA by December 2016. He further stated that the draft Policy was a collaborative effort between the Information Technology Division, the General Counsel's Office, and the Commission Secretary, to ensure that the agency could comply with NARA's requirements from a technical perspective. Mr. Holder confirmed that the agency possessed

the means to apply the technical mechanics to comply with the Policy and now needs the Commission's approval to move forward.

Chairman Walther stated there were no changes to the Policy itself, and that the Commission would approve pages one through five of the Policy, with an addendum specifying those positions which would be considered Capstone.

Chairman Walther recognized Commissioner Weintraub who noted that her memorandum, while submitted late for today's agenda, was originally put before the Commission on May 25, 2016, and previously submitted as an agenda document for the March 23, 2017 Open Meeting. Commissioner Weintraub then thanked and complimented those employees who worked on the Policy, and stated that additional employees should be added to the Capstone category to ensure that the Commission was getting the right category of agency decision makers, and people in whose records one would be likely to find important agency decision making documents. Commissioner Weintraub further stated that there was some discussion amongst Commissioners as to which positions should be added to the broadened list of who would be considered Capstone Officials and have their emails maintained for perpetuity. She noted her understanding that agreement had been reached and named the potential Capstone Officials.

Staff Director Alec Palmer participated in the discussion that followed.

Chairman Walther expressed his initial concern with including Executive Assistants as Capstone Officials, noting that he was persuaded of the importance of including this position given the degree with which Executive Assistants interact with Commissioners. Chairman Walther recognized Commissioner Weintraub who stated that the reason she thought it so important to include the Executive Assistants is because they frequently convey information for the Commissioners, and there is a lot of information that goes through them.

Chairman Walther recognized Commissioner Goodman who sought clarification from Mr. Holder or Mr. Palmer that this Policy would apply to all current emails, such that the agency would not delete emails of past Executive Assistants, rather they would be archived pursuant to this Policy.

Staff Director Palmer indicated that Commissioner Goodman's understanding was correct, and participated in the continuing discussion.

Chairman Walther recognized Commissioner Weintraub who

MOVED to approve the FEC Email Management Policy as recommended in the Memorandum from the Acting Deputy Staff Director for Management and Administration dated November 9, 2016, and as amended by the expanded list of Capstone Officials named at the table:

Commissioners

Executive Assistants

General Counsel

Deputy General Counsels

Associate General Counsels

Staff Director

Deputy Staff Directors

Assistant Staff Directors

Commission Secretary

Chief Compliance Officer

Reviewing Officer, Office of Administrative Review

Director, Office of Alternative Dispute Resolution

Director, Congressional, Legislative & Intergovernmental Affairs

Chief Information Officer

Chief Financial Officer

Director of Accounting/Deputy Chief Financial Officer

Inspector General

Deputy Inspector General

The motion carried by a vote of 5-0 with Commissioners Goodman, Hunter,

Petersen, Walther, and Weintraub voting affirmatively for the decision.

III. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the Commission,
the meeting adjourned at 10:58 A.M.**

Signed:



Steven T. Walther

Chairman of the Commission

Attest:



Dayna C. Brown

Secretary and Clerk of the Commission