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OFFICE OF GENERAL
COUNSEL

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OMAHA, NE 68154
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March 15, 2011

Federal Election Commission
Office of General Counsel
999 E Street, N.W.
Washington, DC 20463

To Whom It May Concern:

I am writing to seek an advisory opinion on an expedited basis from the Federal Election Commission (FEC) regarding incidents that began during my campaign for re-election to Congress for the 111th Congress and have continued into my current service in the 112th Congress.

During my 2008 campaign for re-election to the U.S. House of Representatives several incidents occurred involving a constituent in my congressional district. This individual became angry at receiving campaign literature at his residence. As a result he caused several disturbances at my congressional office in October, 2008. He was informed that my official and campaign offices were separate and that if he had a complaint he should register it with the campaign staff. Apparently angered by this answer, the individual stated that "he knew where my residence was" and that he would go there to voice his anger about receiving the mailer.

As a result, the Douglas County Sheriff's Office (DCSO) increased its patrol presence in my neighborhood in response to this threat. On December 31, 2008 this individual called the Nebraska Governor's Office leaving voicemails that he had the right to show up at my personal residence whenever he desired. Because of those calls I cancelled my New Year's Eve plans and stayed at home with my three young sons. The DCSO again increased its presence in my neighborhood.

On April 22, 2009 an unknown individual left campaign literature from the 2008 campaign on the front step of my residence in the middle of the night. The name on the campaign literature left at my home was addressed to the same individual involved in the

incidents described above. Previously, this individual was found guilty and sentenced for stalking the Nebraska Attorney General. After the April 22, 2009 incident, and the press attention it received, this same individual was charged with two counts of stalking and nine counts of intimidation by telephone. The victims involved included the Douglas County Sheriff and a local television reporter who reported on the April 22nd incident. The individual involved plead guilty to and was sentenced to two counts of intimidation by telephone. During the proceedings the trial judge increased the bond for this individual to \$1 million for his continued illegal harassing conduct. He was incarcerated (from March 18, 2010 until August 4, 2010) and continues to reside in my congressional district. In addition, the U.S. Capitol Police (USCP) is aware of the history of this and other events at my personal residence and can provide confirmation upon request.

Subsequently, the same individual was observed by law enforcement driving past my congressional office and through my neighborhood on several separate occasions. Also, during an investigative interview with an acquaintance of this individual the statement was made that "[he] is striving against the abuse of power by public officials." It is the combination of this individual's actions and statements that cause great concern to me and my family.

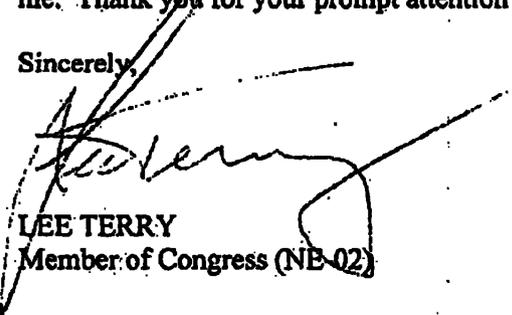
Due to the number of incidents, I requested both the Douglas County Sheriff's Office and the USCP to review the security of my personal residence where my wife and three sons reside during my absence while I am present in Washington, D.C. when the U.S. House of Representatives is in session. Based upon these reviews, the Sarpy County Sheriff and USCP have recommended that increased security alarms and/or a video surveillance system be installed at my residence in Omaha. (Enclosed are copies of those recommendations). Earlier, I installed a security alarm system at my own expense, but because of recent additional incidents of vandalism at my residence I am installing an exterior CCTV system (the estimated cost not to exceed \$5,000). The installation of these additional security measures will not result in any structural improvements to my property or home and, in fact, could negatively affect the value of the home if sold.

All of these incidents started during and as a result of my official campaigns for re-election to the U.S. House of Representatives, and show a pattern of disturbing incidents involving my home and clearly represent threats to the safety of my family. I also intend to run for re-election to the U.S. House of Representatives in 2012. Therefore, I am requesting the Federal Election Commission (FEC) to authorize and approve the use of funds from my federal congressional campaign to offset the costs of installing

additional security measures recommended by the DCSO and the USCP. I understand that a previous FEC advisory opinion (AOR2009-8 requested by Rep. Gallegly (CA-24) was issued by the Commission providing some precedence for this request.

If you have any questions or need additional information, please do not hesitate to contact me. Thank you for your prompt attention to this matter.

Sincerely,



LEE TERRY
Member of Congress (NE-02)



UNITED STATES CAPITOL POLICE
WASHINGTON, DC 20510-7218

August 23, 2010

MEMORANDUM

TO: Assistant Chief Daniel R. Nichols ^D

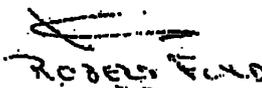
FROM: Robert M. Greeley

SUBJECT: Security Review for Congressman Lee Terry

A request was forwarded to the United States Capitol Police (USCP), Security Services Bureau (SSB) on August 16, 2010, to conduct an assessment of Congressman Lee Terry's Omaha, NE residence. Pursuant to talks with the staff, they decided against a full on-site survey and opted for a review of the Douglas County Sheriff's Office security recommendations. After discussions with Chief Deputy Martin Bilek on August 20, 2010, SSB concurs with the following recommendations: Install an intrusion detection system, which includes motion sensors, contact alarm points, duress capabilities and CCTV cameras. These systems should be installed and monitored by a reputable service provider. Additionally, the Sheriff's Office will increase patrols within the Congressman's neighborhood. These recommendations should be considered best industry practices and as such, are in accordance with the USCP standard countermeasures.

Should you have any questions regarding this matter or need further information, you can reach me at 3-7053.

Very respectfully,


Robert M. Greeley
Director
Security Services Bureau



Timothy F. Dunning - Douglas County Sheriff

3601 NORTH 156TH STREET
OMAHA, NEBRASKA 68116-6461
PHONE 402-444-6641

TO: Congressman Lee Terry
FROM: Chief Deputy Martin J. Bilek *MJB 2193*
DATE: August 16, 2010
SUBJECT: Residential Security

The Douglas County Sheriff's Office is currently investigating several incidents involving your family and your personal residence. As a high profile political figure in our community we realize that your life is sometimes contentious. However, personal threats, stalking, and destruction of property are crimes. Violators have been and will be arrested and prosecuted. Dan Brown is one such example. In addition, our Threat Management Unit is aware of these incidents and will continue to monitor criminal activity.

The Sheriff's Office will continue to give your family and residence special attention. Sheriff patrols will monitor activity at and near your residence 24-7. In addition, we recommend a security system. An alarm system and security cameras will not only alert us to an intruder but will also provide valuable video evidence for prosecution.

Please feel free to phone if you have any questions (444-6636).