



FEDERAL ELECTION COMMISSION
Washington, DC 20463

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AGENDA ITEM

June 26, 2013

MEMORANDUM

For Meeting of 6-27-13

TO: The Commission Secretary

SUBMITTED LATE

FROM: Anthony Herman
General Counsel *AH*

SUBJECT: DOJ Requests for Documents – Notice to Commission

Attached is the April 15, 2013 email from Anthony Herman to the Commission regarding Department of Justice Requests for Documents. The Commission has requested the document be placed on the agenda for June 27, 2013.

Attachment



DOJ Requests for Documents -- Notice to Commission

Anthony Herman to: Commissioners Office

04/15/2013 04:47 PM

Cc: Daniel Petalas, Kathleen Guith, Lisa Stevenson

From time to time, we get requests from DOJ for documents. Prior to 2002, OGC regularly turned over documents to DOJ, but only after receiving a "friendly subpoena." Since 2002, when Larry Norton became the General Counsel, OGC has freely provided documents to DOJ upon request, and without the formality of a "friendly subpoena." I have learned that OGC's practice of notifying the Commission of such requests, however, and the timing of any notice, has not been uniform. I believe there should be a uniform policy and that the Commission should be informed. Consequently, going forward, when DOJ makes such a request, we will contemporaneously inform the Commission by e-mail of such request and our plan for complying with it.

I would be happy to discuss or answer questions. Thanks.

Tony

Anthony Herman
General Counsel
Federal Election Commission
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