



FEDERAL ELECTION COMMISSION
Washington, DC 20463

AGENDA DOCUMENT NO. 17-53-C
AGENDA ITEM
For meeting of December 7, 2017
SUBMITTED LATE

MEMORANDUM

TO: The Commission
FROM: Steven T. Walther, Chairman
RE: Clarification to Agenda Document No. 17-53-B
DATE: December 6, 2017

This memorandum seeks to clarify the motion to amend Directive 68, which I have placed on the December 7, 2017 open agenda as Agenda Document No. 17-53-B. The motion to amend Directive 68 is directly related to the first document I placed on the agenda, entitled "Assessment of Commission Action on Enforcement Matters Awaiting Reason-to-Believe Consideration" (Agenda Document No. 17-53-A). The motion to amend Directive 68 is intended to supplement the information now included in "Status of Enforcement" reports provided by staff to the Commission on a quarterly basis, and, to the extent possible, make the information in those reports available to the public. Several memoranda I have made public over the past two and half years have included charts containing categories of data relevant to the Commission's prioritization of its enforcement docket; Agenda Document No. 17-53-A is the fifth such memorandum made public at an open meeting since July 14, 2015.¹

The main purpose of these memoranda has been to assist the Commission in prioritizing enforcement matters that come before it, primarily by setting a schedule for taking immediate action on substantive recommendations by the Office of General Counsel (OGC). This information has been made available in unredacted form to the Commission; however, it has also been made available to the public in redacted form to promote transparency and accountability regarding the Commission's performance.

The public versions of the charts attached to these periodic memoranda have been redacted so they include the following information: (1) the date a matter is assigned to an attorney; (2) the date of OGC's recommendations to the Commission; (3) the number of days between assignment to an attorney and OGC's recommendations to the Commission; (4) the numbers of days between assignment to an attorney and Commission inaction; (5) the days between OGC's recommendations and Commission inaction; and (6) the dates that a matter has been held over from an executive session, if applicable. The proposed revisions to Directive 68 would ensure that this information and other relevant enforcement data is provided to the public in a more consistent and routine manner, and made easily accessible on the Commission's website.

¹ The dates on which these memoranda were made public are as follows: Priorities Motion I: July 14, 2015; Priorities Motion II: Sept. 15, 2015; Priorities Motion III: Nov. 9, 2015; Priorities Motion IV: Aug. 12, 2016; Assessment of Commission Action: Nov. 16, 2017.