

FEDERAL ELECTION COMMISSION		
MANUAL OF DIRECTIVES	COMMISSION DIRECTIVE	
	REVOKES: Revision dated September 11, 2008	NO. 17 (Revised)
		EFFECTIVE DATE: May 6, 2021
Circulation Authority; Agenda Deadline Procedures		

The purpose of this Directive is to delegate authority to certain officers for circulating documents to the Commission, and to set out procedures to be followed when submitting material for Open and Closed Commission Meetings.

I. Authority to submit documents for circulation to the Commission

Subject to the authority of the Chairman to control the agenda of the Commission (see Directive 10), only documents routed through the Staff Director, the General Counsel, and/or the Chief Financial Officer, or their respective designees, will be circulated to the Commission. The Staff Director, the General Counsel and the Chief Financial Officer shall each have authority to submit directly to the Commission documents originating from their respective offices in the exercise of their respective authority, duties, and responsibilities, or in response to a request from the Commission, or a Commissioner.

The provisions of this Directive shall not apply to the Office of Inspector General.

1. Recommendations for personnel actions that **do not** have budget implications shall be routed through the Staff Director for approval and signature.
2. Recommendations for personnel actions that **do have** budget implications shall be routed through the Staff Director **and** the Chief Financial Officer for approval and signature.
3. Recommendations for budget actions shall be routed through the Chief Financial Officer for approval and signature.

4. Recommendations that concern the Commission's legal authority or liability shall be routed through the General Counsel for approval and signature.
5. Recommendations that may result in a policy change affecting agency operations shall be routed through the Staff Director, the General Counsel **and** the Chief Financial Officer for approval and signature.

II. Open Sessions

A. Documents Placed Directly On An Agenda

In order to be placed directly on the agenda for an Open Session, a document must be received in the Commission Secretary's Office by 4:00 p.m. one week in advance of the Open Session. Matters submitted after the close of the Open Session agenda deadline will be placed on the next Open Session agenda. However, any document that fails to reach the Commission Secretary by the appropriate deadline and requires the immediate action of the Commission may be submitted late by the originating office. The Commission shall vote as to whether to accept the late submission of documents. In lieu of placement on an Open Session agenda, such a late submission may be circulated by the originating office on a tally or no-objection basis.

If the Commission directs that an item be redrafted for the next open session, the redraft will be due in the Commission Secretary's office by 4:00 p.m. three business days before the meeting for which it is scheduled, unless the Commission extends the deadline.

An item will be placed directly on an open meeting agenda for discussion at the request of any Commissioner to the Chairman. The document should be submitted to the Commission Secretary by 4:00 p.m. Thursday of the week before the open meeting to be assigned an agenda document number and for circulation. If the document is submitted late, the Commission shall vote whether to accept the late submission.

B. Circulation of Open Session Documents

All Open Session documents (except for the agenda itself) will be circulated to the Commissioners' Offices by 4:00 p.m. the day after the Open Session agenda deadline.

All agenda documents for Open Sessions will be accessible from the website immediately after circulation to the Commissioners. The agenda for an Open Session will be circulated to the Commissioners' Offices by Noon, two business days before the Open Session.

C. Tally Vote Items

1. Certifications for public fund recommendations will be placed on an Open Session agenda if a Commissioner's objection is filed with the Commission Secretary prior to 4:00 p.m. the day before the Open Session. The lack of 4 approvals will also place such a matter on the Open Session agenda, subject to Part V.
2. A non-sensitive item that has been circulated to the Commission for a vote will be placed on the Open Session agenda if the Commission Secretary receives an objection by the close of business the day after the Open Session agenda deadline or there is an absence of 4 approvals, subject to Part V.

D. Comments on Open Session Documents

Should the Staff Director, the General Counsel or the Chief Financial Officer believe the proposed agenda is particularly lengthy or that preliminary staff comment would aid in a Commission discussion, then he or she shall so notify the Commission in writing with respect to a proposed agenda date at the time the request is circulated to the Commission.

III. Executive Sessions (Closed Sessions)

A. Documents Placed Directly On An Agenda

In order to be placed directly on the agenda for an Executive Session, a document must be received in the Commission Secretary's Office by 4:00 p.m. one full week in advance of the Executive Session. Matters submitted after the close of the Executive Session agenda deadline will be placed on the next Executive Session agenda. However, any document that fails to reach the Commission Secretary by the appropriate deadline and requires the immediate action of the Commission may be submitted late by the originating office. The Commission shall vote as to whether to accept the late submission of documents. In lieu of placement on an Executive Session agenda, such a late submission may be circulated by the originating office on

a tally or no-objection basis.

B. Circulation of Items Placed Directly On An Agenda

Documents submitted for direct placement on an Executive Session agenda shall be delivered to Commissioners' offices by 4:00 p.m. the day after the Executive Session agenda deadline.

C. Tally Vote Items

If a Commissioner objects in a "sensitive" matter that has been circulated to the Commission for a vote, that matter will be placed on the agenda for the next scheduled Executive Session after the voting deadline for that matter. Any sensitive matter that has been circulated to the Commission for a vote will also automatically be placed on the next Executive Session agenda in the absence of 4 approvals upon the voting deadline for that matter, subject to Part V.

D. Notification of Agenda Details; Circulation of Draft and Final Agendas

By 10:00 a.m. two business days before the Executive Session, the General Counsel, the Staff Director and the Chief Financial Officer shall notify the Commission Secretary electronically or in writing of the order in which matters originating in their respective offices should be considered on the agenda as well as the names of the staff members who will represent their respective offices on each matter. The Executive Session draft agenda will be circulated to the Commissioners' offices electronically by noon two business days before the Executive Session. The Executive Session final agenda will be circulated by 4:00 p.m. the day before the Executive Session.

IV. Withdrawal of Agenda Documents – Open and Executive Sessions

An agenda document may be withdrawn from the agenda at any time by written request by the originating office, upon the concurrence of the Chairman. All Commissioners, the Staff Director, the General Counsel, the Chief Financial Officer and the Commission Secretary will be quickly notified when a document is withdrawn.

V. If a tally vote matter receives fewer than four approvals and every Commissioner who does not cast an approval casts an "objection for the record" or recuses, the

Commission Secretary shall certify the tally vote pursuant to Directive 52 in lieu of placing the matter on a meeting agenda.

VI. Interpretation

Any interpretations of this policy that cannot be resolved between the Staff Director, the General Counsel and the Chief Financial Officer will be brought to the attention of the Chairman for resolution.

This Directive was adopted on May 6, 2021.

Signature: _____
Alec Palmer
Staff Director