

FEC Issues New Agency Procedure for Disclosure of Documents in Enforcement Cases

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On June 15, 2011, the Federal Election Commission (FEC) issued a notice outlining formal procedures for providing documents and other information to respondents in enforcement cases. Under the new procedure, the FEC's Office of General Counsel will provide respondents with relevant documents obtained as part of an investigation that are not available publicly or already in the respondents' possession. The procedure covers documents obtained as a result of a subpoena or documents generated in conjunction with depositions, such as deposition transcripts.

The FEC may withhold documents containing privileged information, documents that are not relevant to the proceeding or documents that the Commission is prevented from making public. Documents drafted by the FEC itself, such as counsel's reports, also will be withheld.

The procedure became effective on June 30, 2011. The *Federal Register* notice outlining the procedure is available at http://fec.gov/law/cfr/ej_compilation/2011/notice_2011-06.pdf.

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