



AGENDA DOCUMENT NO. 07-59

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
TUESDAY, SEPTEMBER 11, 2007**

PRESENT:

Robert D. Lenhard, Chairman, presiding

David M. Mason, Vice Chairman

Hans A. von Spakovsky, Commissioner

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

Patrina M. Clark, Staff Director

Thomasenia P. Duncan, General Counsel

Mary W. Dove, Secretary

Chairman Robert D. Lenhard called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Tuesday, September 11, 2007, with a quorum present.

A moment of silence was observed for those who lost their lives on September 11, 2001, and for those who are serving in Afghanistan and Iraq.

I. CORRECTION AND APPROVAL OF MINUTES

**A. Minutes for July 26, 2007
Agenda Document No. 07-55**

**B. Minutes for August 1, 2007
Agenda Document No. 07-56**

Chairman Lenhard recognized Vice Chairman Mason, who

MOVED to approve the minutes of the Open Meetings for Thursday, July 26, 2007, and Wednesday, August 1, 2007, as set forth in Agenda Documents No. 07-55 and No. 07-56, respectively.

The motion carried on the vote of 5-0 with Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub voting affirmatively.

II. DRAFT ADVISORY OPINION 2007-12

**Tyco International Management Company and Tyco
International Management Company Political Action
Committee by counsel, Jan W. Baran and D. Mark Renaud**

Agenda Document No. 07-57

Chairman Lenhard recognized Mr. Jonathan Levin of the General Counsel's Office who presented draft Advisory Opinion 2007-12 regarding the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations concerning the proposed disaffiliation of Tyco US PAC from the separate segregated funds (SSFs) of two other corporations that are domestic subsidiaries of companies that have been spun off from a corporate parent of Tyco US.

During his presentation, Mr. Levin noted the following amendments:

**Page 2, footnote 2, fifth line – delete the word "gave"
Page 12, line 4 – change "may own" to "may have owned"
Page 15, line 12 – delete the word "mentioned."**

Chairman Lenhard recognized Vice Chairman Mason, who

**MOVED to approve draft Advisory Opinion 2007-12,
as set forth in Agenda Document No. 07-57,
subject to the amendments noted above.**

The motion carried on the vote of 5-0.

III. FUTURE MEETING DATES

Agenda Document No. 07-58

Chairman Lenhard recognized Vice Chairman Mason, who

MOVED to approve the proposed meeting dates, as set forth in Agenda Document No. 07-58, as amended by deleting the open meetings scheduled for Thursday, September 20, and Tuesday, November 6, 2007.

The motion carried on the vote of 5-0.

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

There were no additional matters to come before the Commission.

The meeting adjourned at 10:15 A.M.

Signed:

**Robert D. Lenhard
Chairman of the Commission**

Attest:

**Mary W. Dove
Secretary of the Commission**