



AGENDA DOCUMENT NO. 07-01

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, DECEMBER 14, 2006**

PRESENT:

Michael E. Toner, Chairman, presiding
Robert D. Lenhard, Vice Chairman
David M. Mason, Commissioner
Hans A. von Spakovsky, Commissioner
Steven T. Walther, Commissioner
Ellen L. Weintraub, Commissioner
Patrina M. Clark, Staff Director
Lawrence H. Norton, General Counsel
Mary W. Dove, Secretary

Chairman Michael E. Toner called the Federal Election Commission to order in an open meeting at 10:08 A.M. on Thursday, December 14, 2006, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for November 30, 2006
Agenda Document No. 06-80**

Chairman Toner recognized Vice Chairman Lenhard, who

MOVED to approve the minutes for the Open Meeting of Thursday, November 30, 2006, as submitted in Agenda Document No. 06-80.

The motion carried on the vote of 6-0 with Commissioners

Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voting affirmatively.

II. MERIT AND SERVICE AWARDS

Staff Director Clark and General Counsel Norton presented the following awards:

**TEN YEAR SERVICE AWARDS
Andrea Needles, RAD
George Smaragdis, Press**

**TWENTY YEAR SERVICE AWARDS
Dorothy Yeager, Info.
Willie Walls, OGC
Victor Miranda, ITD
Andrew Dodson, RAD**

II. MERIT AND SERVICE AWARDS (continued)

THIRTY YEAR SERVICE AWARDS

Reginald Scott, Admin.

Irene Allen, Disc.

James Queen, Disc.

Lynne McFarland, IG

John Gibson, OSD

III. ELECTION OF OFFICERS

A. Election of Chairman

Chairman Toner recognized Commissioner von Spakovsky, who

**MOVED to elect Vice Chairman Lenhard to
serve as Chairman of the Federal Election
Commission beginning January 1, 2007.**

**The motion carried on the vote of 6-0 with Commissioners
Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voting
affirmatively.**

B. Election of Vice Chairman

The Chairman recognized Commissioner Walther, who

**MOVED to elect Commissioner Mason to serve
as Vice Chairman of the Federal Election
Commission beginning January 1, 2007.**

The motion carried on the vote of 6-0.

IV. FUTURE MEETING DATES

Agenda Document No. 06-82

Chairman Toner recognized Vice Chairman Lenhard, who

**MOVED to approve the future meeting
dates, as set forth in Agenda Document
No. 06-82.**

The motion carried on the vote of 6-0.

V. DRAFT ADVISORY OPINION 2006-33

**National Association of Realtors and Realtors Political
Action Committee by counsel, Jan Witold Baran**

Agenda Document No. 06-81

**Agenda Document No. 06-81-A (Submitted late)
Submitted by Commissioner von Spakovsky**

Chairman Toner recognized Vice Chairman Lenhard, who

**MOVED to suspend the rules on the
timely submission of agenda documents
in order to consider Agenda Document
No. 06-81-A.**

The motion carried on the vote of 6-0.

**Chairman Toner recognized Mr. Ron Katwan of the General
Counsel's Office who presented draft Advisory Opinion 2006-33, as set
forth in Agenda Document No. 06-81, concerning the application of the
Federal Election Campaign Act of 1971, as amended (the "Act"), and**

V. DRAFT ADVISORY OPINION 2006-33 (continued)

Commission regulations to the National Association of Realtors' (NAR) proposed payment of corporate treasury funds to its State affiliates to encourage the State affiliates to increase their fundraising for the Realtors Political Action Committee (RPAC).

The Chairman recognized Commissioner von Spakovsky who presented his proposed alternative draft, as contained in Agenda Document No. 06-81-A.

A discussion followed.

Chairman Toner recognized Commissioner von Spakovsky, who

MOVED to instruct the General Counsel's Office to redraft an advisory opinion pursuant to the meeting discussion to be circulated to the Commission on a tally vote basis.

The motion carried on the vote of 4-2 with Commissioners Lenhard, Mason, Toner, and von Spakovsky voting affirmatively. Commissioners Walther and Weintraub dissented.

VI. PURPOSE OF DISBURSEMENT POLICY STATEMENT

Agenda Document No. 06-83 (Submitted late)

**(Submitted by Chairman Toner and
Vice Chairman Lenhard)**

VI. PURPOSE OF DISBURSEMENT POLICY STATEMENT

(continued)

Chairman Toner recognized Vice Chairman Lenhard, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 06-83.

The motion carried on the vote of 6-0.

There was discussion.

Chairman Toner recognized Vice Chairman Lenhard, who

MOVED to approve the policy statement concerning "purpose of disbursement" entries for reports filed with the Commission, as set forth in Agenda Document No. 06-83, and to instruct the General Counsel's Office to make any necessary technical and conforming amendments prior to publication in the *Federal Register*.

The motion carried on the vote of 6-0.

VII. MANAGEMENT AND ADMINISTRATIVE MATTERS

**PROTOTYPE DEMONSTRATION FOR SEARCHABLE
ADVISORY OPINIONS**

Chairman Toner recognized Deputy Staff Director (CIO) Alec Palmer who presented a demonstration of the new advisory opinion database to be released on the Commission's Web site by February 26, 2007.

The meeting adjourned at 11:20 A.M.

Signed:

**Michael E. Toner
Chairman of the Commission**

Attest:

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

