



**AGENDA DOCUMENT NO. 08-47**

**MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION  
THURSDAY, DECEMBER 4, 2008**

**PRESENT:**

**Donald F. McGahn II, Chairman, presiding**

**Steven T. Walther, Vice Chairman**

**Cynthia L. Bauerly, Commissioner**

**Caroline C. Hunter, Commissioner**

**Matthew S. Petersen, Commissioner**

**Ellen L. Weintraub, Commissioner**

**Joseph F. Stoltz, Acting Staff Director**

**Thomasenia P. Duncan, General Counsel**

**Mary W. Dove, Secretary**

**Chairman Donald F. McGahn II called the Federal Election Commission to order in an open meeting at 2:05 PM on Thursday, December 4, 2008, with a quorum present.**

**I. CORRECTION AND APPROVAL OF MINUTES**

**Minutes for November 20, 2008  
Agenda Document No. 08-42**

**Chairman McGahn recognized Vice Chairman Walther, who**

**MOVED to approve the minutes for the Open Meeting of Thursday, November 20, 2008, as set forth in Agenda Document No. 08-42.**

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

**Bauerly, Hunter, McGahn, Petersen, Walther, and Weintraub voting affirmatively.**

**II. DRAFT ADVISORY OPINION 2008-17  
Missourians for Kit Bond and KITPAC by Kathryn Biber Chen, Esquire**

**Agenda Document No. 08-43**

**It was agreed without objection to hold this matter over to the next open meeting on Thursday, December 18, 2008.**

**III. MIKE GRAVEL FOR PRESIDENT 2008 – DETERMINATION OF INELIGIBILITY AND LETTER OF CANDIDATE AND COMMITTEE CERTIFICATION AND AGREEMENT**

**Agenda Document No. 08-44**

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**III. MIKE GRAVEL FOR PRESIDENT 2008 – DETERMINATION OF  
INELIGIBILITY AND LETTER OF CANDIDATE AND COMMITTEE  
CERTIFICATION AND AGREEMENT (continued)**

**(Placed on the agenda pursuant to the filing of objections by  
Commissioners Hunter, McGahn, and Petersen following  
circulation on a tally vote basis.)**

**The Chairman recognized Ms. Delanie Painter of the General  
Counsel's Office who reviewed the subject document. During her  
presentation, Ms. Painter noted the following amendments to the report:**

**Footnote 2 – delete the second sentence;  
Footnote 5 – delete the first sentence.**

**Following a discussion of Senator Gravel's eligibility to receive  
matching funds, Chairman McGahn recognized Commissioner Weintraub,  
who**

**MOVED to approve the General Counsel's  
recommendations, as set forth in Agenda  
Document No. 08-44.**

**The motion failed by a vote of 2-4 with Commissioners Bauerly and  
Weintraub voting affirmatively. Commissioners Hunter, McGahn,  
Petersen, and Walther dissented.**

**IV. MANAGEMENT AND ADMINISTRATIVE MATTERS**

**Chairman McGahn announced the public hearing on the policies and procedures of the Commission to be held on Wednesday, January 14, 2009, with a comment period to end on Monday, January 5, 2009.**

**The meeting adjourned at 3:45 P.M.**

**Signed:**

**Donald F. McGahn II  
Chairman of the Commission**

**Attest:**

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