



AGENDA DOCUMENT NO. 07-33

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, APRIL 19, 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, Acting 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 Thursday, April 19, 2007, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for April 12, 2007
Agenda Document No. 07-31**

Chairman Lenhard recognized Vice Chairman Mason, who

MOVED to approve the minutes for the Open Meeting of Thursday, April 12, 2007, as submitted in Agenda Document No. 07-31.

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

II. DRAFT ADVISORY OPINION 2007-04

**Atlatl, Inc. by Duke Williams, Chief Executive Officer
Agenda Document No. 07-29**

Chairman Lenhard recognized Mr. Tony Buckley of the General Counsel's Office who presented proposed Drafts A and B of Draft Advisory Opinion 2007-04 concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission

II. DRAFT ADVISORY OPINION 2007-04 (continued)

regulations regarding the ability of Atlatl, Inc. and its service, Simply Easier Payments, to offer its credit card processing services to political committees. During his presentation, Mr. Buckley noted the following amendment:

On Page 1, at the end of the sentence on Line 23, change the period to a comma after the word "transactions" and insert the following language: "but is not itself a financial service provider or a credit card company."

A discussion followed.

Chairman Lenhard recognized Commissioner von Spakovsky, who

MOVED to approve Draft B of Draft Advisory Opinion 2007-04, as set forth in Agenda Document No. 07-29.

The motion failed to carry on the vote of 2-3 with Commissioners Mason and von Spakovsky voting affirmatively. Commissioners Lenhard, Walther, and Weintraub dissented.

The discussion resumed.

Chairman Lenhard recognized Commissioner Weintraub, who

MOVED to approve Draft A of Draft Advisory Opinion 2007-04, as set forth in Agenda Document No. 07-29, subject to the amendment noted above, and to authorize the General Counsel's Office to make any necessary technical and conforming amendments.

II. DRAFT ADVISORY OPINION 2007-04 (continued)

**The motion carried on the vote of 4-1 with Commissioners
Lenhard, Mason, Walther, and Weintraub voting affirmatively.
Commissioner von Spakovsky dissented.**

**THE FOLLOWING MATTERS WILL BE HELD OVER TO THE
MEETING OF MAY 3, 2007:**

III. DRAFT NOTICE OF PROPOSED RULEMAKING ON HYBRID ADS

**IV. REPORT OF THE AUDIT DIVISION ON GEPHARDT FOR
PRESIDENT, INC.
(AGENDA DOCUMENT NO. 07-30)**

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V. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There were no additional matters to come before the
Commission.**

The meeting adjourned at 10:35 A.M.

Signed:

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

Attest:

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