



AGENDA DOCUMENT NO. 08-31

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
WEDNESDAY, OCTOBER 8, 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 10:06 A.M. on Wednesday, October 8, 2008, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for October 2, 2008
Agenda Document No. 08-30**

Chairman McGahn recognized Vice Chairman Walther, who

MOVED to approve the minutes for the Open Meeting of Thursday, October 2, 2008, as set forth in Agenda Document No. 08-30.

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

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

II. DRAFT ADVISORY OPINIONS

**A. Draft Advisory Opinion 2008-10
VoterVoter.com by Joseph M. Birkenstock, Esquire**

Agenda Document No. 08-29 (Submitted late)

The Chairman recognized Vice Chairman Walther, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 08-29.

The motion carried on the vote of 6-0.

II. DRAFT ADVISORY OPINIONS (continued)

A. Draft Advisory Opinion 2008-10 (continued)

Chairman McGahn recognized Mr. Jonathan Levin of the General Counsel's Office who presented the proposed drafts of Advisory Opinion 2008-10, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to advertising services provided to individuals and nonconnected political committees. Wide-Orbit, Inc. d/b/a VoterVoter.com (the "Corporation") asks whether a proposed plan to use the VoterVoter.com website to sell political ads is permissible under the Act.

Following discussion, it was agreed without objection to hold this matter over in order to review the public comments which had been received.

**B. Draft Advisory Opinion 2008-11
Lawrence Martin E. Brown**

Agenda Document No. 08-28 (Submitted late)

The Chairman recognized Vice Chairman Walther, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 08-28.

The motion carried on the vote of 6-0.

II. DRAFT ADVISORY OPINIONS (continued)

B. Draft Advisory Opinion 2008-11 (continued)

Chairman McGahn recognized Ms. Esther Heiden of the General Counsel's Office who presented draft Advisory Opinion 2008-11, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations as to whether a personal services contractor with the United States Agency for International Development ("USAID") may make a contribution for a political purpose or use.

The Chairman recognized Vice Chairman Walther, who

MOVED to approve draft Advisory Opinion 2008-11, as submitted in Agenda Document No. 08-28.

The motion carried on the vote of 6-0.

**C. Draft Advisory Opinion 2008-12
Independent Party of Oregon by Linda K. Williams, Esquire**

Agenda Document No. 08-27 (Submitted late)

The Chairman recognized Vice Chairman Walther, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 08-27.

The motion carried on the vote of 6-0.

II. DRAFT ADVISORY OPINIONS (continued)

C. Draft Advisory Opinion 2008-12 (continued)

Chairman McGahn recognized Mr. Albert Kiss of the General Counsel's Office who presented draft Advisory Opinion 2008-12, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations regarding the status of the Independent Party of Oregon as a State committee of a political party.

The Chairman recognized Vice Chairman Walther, who

MOVED to approve draft Advisory Opinion 2008-12, as set forth in Agenda Document No. 08-27.

The motion carried on the vote of 6-0.

III. MANAGEMENT AND ADMINISTRATIVE MATTERS

There were no further matters to come before the Commission.

The meeting adjourned at 10:30 A.M.

Signed:

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

Attest:

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