

AGENDA DOCUMENT NO. 00-94  
APPROVED SEPTEMBER 28, 2000

MINUTES OF A SPECIAL OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION

TUESDAY, SEPTEMBER 12, 2000

PRESENT: Darryl R. Wold, Chairman, presiding  
Danny L. McDonald, Vice Chairman  
David M. Mason, Commissioner  
Karl J. Sandstrom, Commissioner  
Bradley A. Smith, Commissioner  
Scott E. Thomas, Commissioner  
James A. Pehrson, Staff Director  
Lawrence M. Noble, General Counsel  
Mary W. Dove, Acting Secretary

Chairman Darryl R. Wold called the Federal Election Commission to order in a special open meeting at 2:05 P.M. on Tuesday, September 12, 2000, with a quorum present.

Chairman Wold noted the special open meeting was called to consider the claims of candidates to the public funding to which the nominees of the Reform Party are entitled. Those funds are available under the Presidential Election Campaign Fund Act, and he stated it is the Commission's responsibility to determine which candidates will be entitled to receive the \$12.6 million from the United States Treasury.

The agenda listed the following items:

I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452 FOR PATRICK J. BUCHANAN AND EZOLA FOSTER

Agenda Document No. 00-85

(Placed on the agenda pursuant to the filing of an objection by Commissioner Sandstrom following circulation on a 24 hour vote basis.)

II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN AND NAT GOLDHABER

Agenda Document No. 00-88

(Placed on the agenda pursuant to the filing of objections by Commissioners Sandstrom and Smith following circulation on a 24 hour vote basis.)

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452  
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER  
Agenda Document No. 00-85 (continued)
- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN  
AND NAT GOLDHABER  
Agenda Document No. 00-88 (continued)

There were two additional documents submitted late:

- III. 2000 GENERAL ELECTION ENTITLEMENT  
Agenda Document No. 00-91  
(Submitted by Commissioner Sandstrom)
- IV. SUSPENSION OF RULES TO CONSIDER DRAFT STATEMENTS  
OF REASONS -- PETITIONS TO DENY CERTIFICATION OF  
PUBLIC FUNDS TO PATRICK J. BUCHANAN AND EZOLA  
FOSTER (LRAs #598/599)  
Agenda Document No. 00-90  
(Submitted by the Office of General Counsel)

Under procedures for consideration at this meeting, the Chairman asked for motions to waive the rules concerning the timely submission of agenda documents so that matters referenced in Items III. and IV. might be considered.

I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452  
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER  
Agenda Document No. 00-85 (continued)

II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN  
AND NAT GOLDBER  
Agenda Document No. 00-88 (continued)

Chairman Wold recognized Vice Chairman McDonald,  
who

MOVED to suspend the rules on  
the timely submission of agenda  
documents in order to consider  
Agenda Document No. 00-91.

The motion carried on the vote of 6-0 with  
Commissioners Mason, McDonald, Sandstrom, Smith, Thomas,  
and Wold voting affirmatively.

Chairman Wold recognized Vice Chairman McDonald,  
who

MOVED to suspend the rules on  
the timely submission of agenda  
documents in order to consider  
Agenda Document No. 00-90.

A discussion of the motion followed. Ms. Kim  
Leslie Bright of the General Counsel's Office was asked to  
explain the document.

The motion carried on the vote of 5-1 with  
Commissioners Mason, McDonald, Smith, Thomas, and Wold  
voting affirmatively. Commissioner Sandstrom dissented.

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452  
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER  
Agenda Document No. 00-85 (continued)
  
- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN  
AND NAT GOLDBER  
Agenda Document No. 00-88 (continued)
  
- III. 2000 GENERAL ELECTION ENTITLEMENT  
Agenda Document No. 00-91 (continued)
  
- IV. SUSPENSION OF RULES TO CONSIDER DRAFT STATEMENTS  
OF REASONS -- PETITIONS TO DENY CERTIFICATION OF  
PUBLIC FUNDS TO PATRICK J. BUCHANAN AND EZOLA  
FOSTER (LRAs #598/599)  
Agenda Document No. 00-90 (continued)

Chairman Wold recognized Mr. Ray Lisi of the Audit Division who presented an overview of Agenda Documents No. 00-85 and No. 00-88. The Office of General Counsel was asked to comment on its analysis of the Audit Division's recommendations, and General Counsel Noble stated the recommendations were consistent with the Office of General Counsel's analysis and they supported the recommendations as presented.

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452 FOR PATRICK J. BUCHANAN AND EZOLA FOSTER  
Agenda Document No. 00-85 (continued)
- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN AND NAT GOLDHABER  
Agenda Document No. 00-88 (continued)
- III. 2000 GENERAL ELECTION ENTITLEMENT  
Agenda Document No. 00-91 (continued)
- IV. SUSPENSION OF RULES TO CONSIDER DRAFT STATEMENTS OF REASONS -- PETITIONS TO DENY CERTIFICATION OF PUBLIC FUNDS TO PATRICK J. BUCHANAN AND EZOLA FOSTER (LRAs #598/599)  
Agenda Document No. 00-90 (continued)

Chairman Wold recognized Commissioner Sandstrom who addressed his objections.

A discussion was held.

Chairman Wold recognized Commissioner Smith, who objected to Agenda Document No. 00-88, for comments.

The discussion resumed. It was agreed without objection to consider Agenda Document No. 00-90 at the next open meeting on Thursday, September 14, 2000.

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452  
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER  
Agenda Document No. 00-85 (continued)
- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN  
AND NAT GOLDBABER  
Agenda Document No. 00-88 (continued)

Chairman Wold recognized Vice Chairman McDonald,  
who

MOVED to take the following actions in  
Agenda Document No. 00-85:

1. Make an initial determination that Mr. Patrick J. Buchanan and Ms. Ezola Foster, the Reform Party Presidential and Vice Presidential candidates, respectively, have fulfilled the requirements set forth in 26 U.S.C. §9003(a)(c) and (e) and 11 CFR §§9003.1 and 9003.2(b) and (c) and have established eligibility to receive a payment in the amount of \$12,613,452 under 26 U.S.C. §9006(b) ~~from the Presidential Election Campaign Fund.~~
2. Approve the proposed letters to the candidates advising them of the Commission's initial determination, as set forth in Agenda Document No. 00-85 at Attachments III and IV.

The motion carried on the vote of 5-1 with Commissioners Mason, McDonald, Smith, Thomas, and Wold voting affirmatively. Commissioner Sandstrom dissented.

II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN  
AND NAT GOLDBABER  
Agenda Document No. 00-88 (continued)

Chairman Wold recognized Vice Chairman McDonald,  
who

MOVED to take the following actions in  
Agenda Document No. 00-88:

1. Make an initial determination that Mr. John Hagelin and Mr. Nat Goldhaber do not meet the eligibility requirements under 11 CFR 9003.1(a)(2) and have not established eligibility to receive a payment under 26 U.S.C. §9006(b) from the Presidential Election Campaign Fund.
2. Approve the proposed letters to the candidates advising them of the Commission's initial determination, as set forth in Agenda Document No. 00-88 at Attachments III and IV.

The motion carried on the vote of 6-0 with  
Commissioners Mason, McDonald, Sandstrom, Smith, Thomas,  
and Wold voting affirmatively.



There being no further business to come before  
the Commission, the meeting adjourned at 4:20 P.M.

Signed:



Darryl R. Wold  
Chairman of the Commission.

Attest:



Mary W. Dove  
Acting Secretary of  
the Commission

