



AGENDA DOCUMENT NO. 06-73
APPROVED NOVEMBER 9, 2006

MINUTES OF AN OPEN MEETING

OF THE

FEDERAL ELECTION COMMISSION

THURSDAY, NOVEMBER 2, 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

**Gregory J. Scott, Office of the Staff
Director (Information Division), representing
Patrina M. Clark, Staff Director**

**James A. Kahl, Deputy General Counsel,
Representing 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 10:05 A.M. on Thursday, November 2, 2006, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for October 18, 2006
Agenda Document No. 06-69**

Chairman Toner recognized Vice Chairman Lenhard, who

MOVED to approve the minutes for the Open Meeting of Wednesday, October 18, 2006, as submitted in Agenda Document No. 06-69.

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

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

II. DRAFT REQUEST FOR COMMENT REGARDING "PURPOSE OF DISBURSEMENT" ENTRIES FOR REPORTS FILED WITH THE COMMISSION

Agenda Document No. 06-72 (Submitted late)

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. 06-72.

The motion carried on the vote of 6-0.

II. DRAFT REQUEST FOR COMMENT REGARDING "PURPOSE OF DISBURSEMENT" ENTRIES FOR REPORTS FILED WITH THE COMMISSION

(Continued)

Chairman Toner recognized Mr. Richard Ewell of the General Counsel's Office who presented the subject draft.

A discussion followed.

The Chairman recognized Commissioner von Spakovsky, who

MOVED to instruct staff to publish the information contained in Agenda Document No. 06-72, which cites a comment period to end on December 4, 2006.

The motion carried on the vote of 6-0.

III. ADVISORY OPINIONS

**A. Advisory Opinion 2006-29
Representative Mary Bono by Jason Vasquez,
Communications Director**

Agenda Document No. 06-70

Chairman Toner recognized Ms. Stacey Shin of the General Counsel's Office who presented draft Advisory Opinion 2006-29, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to a

III. ADVISORY OPINIONS (continued)

A. Advisory Opinion 2006-29 (continued)

proposed appearance by Representative Bono in a televised infomercial to be aired beginning in October, 2006, and running for eight months.

Chairman Toner recognized Commissioner Weintraub, who

MOVED to approve draft Advisory Opinion 2006-29, as set forth in Agenda Document No. 06-70.

The motion carried on the vote of 6-0.

**B. Advisory Opinion 2006-30
ActBlue by Jonathan Zucker, Senior Strategist and Counsel**

Agenda Document No. 06-71

Chairman Toner recognized Ms. Cheryl Hemsley of the General Counsel's Office who presented draft Advisory Opinion 2006-30, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to ActBlue's proposal to receive and forward earmarked contributions to specific individuals who may become candidates

III. ADVISORY OPINIONS (continued)

B. Advisory Opinion 2006-30 (continued)

**for the 2008 nomination of the Democratic Party for the office of
President of the United States.**

**Chairman Toner recognized Commissioner von Spakovsky
who presented proposed revisions to the draft.**

A discussion followed.

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**The meeting recessed at 11:05 A.M. and reconvened at
11:20 A.M. with a quorum present.**

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III. ADVISORY OPINIONS (continued)

B. Advisory Opinion 2006-30 (continued)

**It was agreed without objection to seek an extension from
the requester in order to hold this matter over for the next open
meeting on November 9, 2006; and, to give Commissioner von
Spakovsky an opportunity to release his proposal to the public for
comments.**

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

Chairman Toner recognized Mr. Gregory Scott of the Information Division, who stated on Election Day there would be postings on the FEC Web site of frequently asked Election Day questions designed to assist the public.

The meeting adjourned at 11:30 A.M.

Signed:



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

Attest:



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