



**AGENDA DOCUMENT NO. 07-88**

**MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION  
THURSDAY, DECEMBER 6, 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**

**John W. Sigmon, Deputy Staff Director for  
Management and Administration, representing  
Patrina M. Clark, Staff Director, for a portion  
of the meeting**

**Patrina M. Clark, Staff Director**

**Thomasenia P. Duncan, General Counsel**

**Mary W. Dove, Secretary**

**Chairman Robert D. Lenhard called the Federal Election Commission to order in an open meeting at 10:30 A.M. on Thursday, December 6, 2007, with a quorum present.**

**I. FEDERAL SERVICE AWARDS**

**Chairman Lenhard, assisted by General Counsel Thomasenia Duncan and Deputy Staff Director John Sigmon, presented certificates to the following for their years of Federal service:**

**TEN YEAR CERTIFICATES**

**Nicole Burgess, Audit  
J. Duane Pugh, Cong. Affairs  
Marianne Abely, OGC  
Marybeth DeBeau, OGC  
Danita Lee, OGC  
April Sands, OGC  
Mark Shonkwiler, OGC  
Wade Sovonick, OGC  
Cynthia Tompkins, OGC  
Daniel Kent, ITD  
David Taylor, ITD  
Michael Hartsock, RAD  
Deborah Holloway, RAD  
Karen Cence, SA (Vice Ch. Mason)  
John Pezzella, CFO  
James Wilson, HR**

**TWENTY YEAR CERTIFICATES**

**Donnie Harris, Admin.  
Leroy Clay, Jr., Audit  
Jewani Servara, Audit  
Marie Dixon, Info.  
Anthony Buckley, OGC**

I. **FEDERAL SERVICE AWARDS** (continued)

**TWENTY YEAR CERTIFICATES** (continued)

Lawrence Calvert, Jr., OGC  
Delanie Painter, OGC  
Kamau Philbert, OGC  
Stephanie Watson, OGC  
D. Patrick Donohoe, Disc.  
Patrina Clark, OSD  
Gwendolyn Holmes, CFO

**THIRTY YEAR CERTIFICATES**

Alex Boniewicz, Audit  
Maura Callaway, OGC  
Jacqueline Crawford, OGC  
Alva DeJarnett Miller, OGC  
Cynthia Myers, OGC  
James Allen, ITD  
Cynthia Deisher, ITD  
Stanley Moore, ITD  
Edward Ryan, RAD  
Angela Dillard, CFO  
Shawn Woodhead Werth, OAR

II. **CORRECTION AND APPROVAL OF MINUTES**

**Minutes for November 29, 2007**  
**Agenda Document No. 07-85**

Chairman Lenhard recognized Vice Chairman Mason, who

**MOVED** to approve the minutes of the open meeting for Thursday, November 29, 2007, as set forth in Agenda Document No. 07-85.

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

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**III. ADVISORY OPINIONS**

- A. Draft Advisory Opinion 2007-23  
Independence Party of New York, by A. Joshua Ehrlich, Esq.**

**Agenda Document No. 07-81**

**The Chairman recognized Mr. Joshua Blume of the General Counsel's Office who presented draft Advisory Opinion 2007-23, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations regarding the status of the Independence Party of New York as a State party committee of a political party.**

**Chairman Lenhard recognized Vice Chairman Mason, who**

**MOVED to approve draft Advisory Opinion 2007-23, as submitted in Agenda Document No. 07-81.**

**The motion carried on the vote of 5-0.**

- B. Draft Advisory Opinion 2007-24  
Jim Burkee and Jeff Walz**

**Agenda Document No. 07-83 (submitted late)**

**Chairman Lenhard recognized Vice Chairman Mason, who**

**MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 07-83.**

**The motion carried on the vote of 5-0.**

**III. ADVISORY OPINIONS (continued)**

**B. Draft Advisory Opinion 2007-24 (continued)**

**The Chairman recognized Ms. Stacey Shin of the General Counsel's Office who presented draft Advisory Opinion 2007-24, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to certain joint campaign and fundraising efforts by Jim Burkee for Congress and Jeff Walz for Congress.**

**Chairman Lenhard recognized Commissioner von Spakovsky, who**

**MOVED to approve draft Advisory Opinion 2007-24, as submitted in Agenda Document No. 07-83.**

**The motion carried on the vote of 5-0.**

**C. Draft Advisory Opinion 2007-26  
State Representative Aaron Schock and Citizens for Schock, by counsel, Donald F. McGahn, II, Esq.**

**Agenda Document No. 07-84 (submitted late)**

**Chairman Lenhard recognized Vice Chairman Mason, who**

**MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 07-84.**

**The motion carried on the vote of 5-0.**

**III. , ADVISORY OPINIONS (continued)**

**C. Draft Advisory Opinion 2007-26 (continued)**

**Chairman Lenhard recognized Mr. Jonathan Levin of the General Counsel's Office who presented draft Advisory Opinion 2007-26 concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to donations by a State candidate campaign committee of a current Federal candidate to section 501(c)(3) organizations, non-Federal accounts of State and local Republican party committees, and non-Federal candidates, and to refunds to the committee's donors.**

**The Chairman recognized Commissioner von Spakovsky who presented the following amendments:**

**Page 10, delete the sentence which begins on  
Line 5 and ends on Line 6;**

**Page 10, Line 8, delete the reference to question "5."**

**A discussion followed.**

**Chairman Lenhard recognized Commissioner von Spakovsky, who**

**MOVED to approve draft Advisory Opinion  
2007-26, as set forth in Agenda Document  
No. 07-84, as amended above.**

**The motion carried on the vote of 4-1 with Commissioners Lenhard,**

**Mason, von Spakovsky, and Walther voting affirmatively. Commissioner  
Weintraub dissented.**

**III. ADVISORY OPINIONS (continued)**

**D. Draft Advisory Opinion 2007-29  
Representative Jesse L. Jackson, Jr.**

**Agenda Document No. 07-86 (submitted late)**

**Chairman Lenhard recognized Vice Chairman Mason, who**

**MOVED to suspend the rules on the timely  
submission of agenda documents in order  
to consider Agenda Document No. 07-86.**

**The motion carried on the vote of 5-0.**

**Chairman Lenhard recognized Mr. Richard Ewell of the General  
Counsel's Office who presented draft Advisory Opinion 2007-29, concerning  
the application of the Federal Election Campaign Act of 1971, as amended  
(the "Act"), and Commission regulations to proposed donation of funds from  
the principal campaign committee to the campaign committee of Ms. Sandi  
Jackson, Representative Jackson's wife, who is seeking election to the  
political party position of Committeeman of the 7<sup>th</sup> Ward in the Cook County  
Democratic Party.**

**A discussion followed.**

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III. **ADVISORY OPINIONS** (continued)

D. **Draft Advisory Opinion 2007-29** (continued)

Chairman Lenhard recognized Vice Chairman Mason, who

**MOVED to approve draft Advisory Opinion  
2007-29, as set forth in Agenda Document  
No. 07-86.**

**The motion carried on the vote of 4-1 with Commissioners**

**Lenhard, Mason, von Spakovsky, and Weintraub voting affirmatively.**

**Commissioner Walther dissented.**

E. **Draft Advisory Opinion 2007-25 (Alternative drafts)**

**Agenda Document No. 07-82**

Chairman Lenhard recognized Mr. Albert Kiss of the General Counsel's Office who presented the alternative drafts of Advisory Opinion 2007-25, concerning the application of the Federal Election Campaign Act of 1971, as amended, (the "Act"), and Commission regulations to Holland & Knight's status as a corporation or a partnership.

Following discussion of Drafts A and B, **it was agreed without objection to hold this matter over for the next open meeting on Friday, December 14, 2007.**



**IV. MANAGEMENT AND ADMINISTRATIVE MATTERS**

**Deputy Staff Director (CIO) Alec Palmer gave a demonstration of the Congressional Campaign Finance Map for the 2008 House and Senate Campaigns which will be released on the Commission's Web site on December 17, 2007.**

**The meeting adjourned at 11:55 A.M.**

**Signed:**

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

**Attest:**

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