



AGENDA DOCUMENT NO. 08-47
APPROVED DECEMBER 18, 2008

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, DECEMBER 4, 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 2:05 PM on Thursday, December 4, 2008, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for November 20, 2008
Agenda Document No. 08-42**

Chairman McGahn recognized Vice Chairman Walther, who

MOVED to approve the minutes for the Open Meeting of Thursday, November 20, 2008, as set forth in Agenda Document No. 08-42.

The motion carried on the vote of 6-0 with Commissioners Bauerly, Hunter, McGahn, Petersen, Walther, and Weintraub voting affirmatively.

**II. DRAFT ADVISORY OPINION 2008-17
Missourians for Kit Bond and KITPAC by Kathryn Biber Chen, Esquire**

Agenda Document No. 08-43

It was agreed without objection to hold this matter over to the next open meeting on Thursday, December 18, 2008.

III. MIKE GRAVEL FOR PRESIDENT 2008 – DETERMINATION OF INELIGIBILITY AND LETTER OF CANDIDATE AND COMMITTEE CERTIFICATION AND AGREEMENT

Agenda Document No. 08-44

III. MIKE GRAVEL FOR PRESIDENT 2008 – DETERMINATION OF INELIGIBILITY AND LETTER OF CANDIDATE AND COMMITTEE CERTIFICATION AND AGREEMENT (continued)

(Placed on the agenda pursuant to the filing of objections by Commissioners Hunter, McGahn, and Petersen following circulation on a tally vote basis.)

The Chairman recognized Ms. Delanie Painter of the General Counsel's Office who reviewed the subject document. During her presentation, Ms. Painter noted the following amendments to the report:

**Footnote 2 – delete the second sentence;
Footnote 5 – delete the first sentence.**

Following a discussion of Senator Gravel's eligibility to receive matching funds, Chairman McGahn recognized Commissioner Weintraub, who

MOVED to approve the General Counsel's recommendations, as set forth in Agenda Document No. 08-44.

The motion failed by a vote of 2-4 with Commissioners Bauerly and Weintraub voting affirmatively. Commissioners Hunter, McGahn, Petersen, and Walther dissented.

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

Chairman McGahn announced the public hearing on the policies and procedures of the Commission to be held on Wednesday, January 14, 2009, with a comment period to end on Monday, January 5, 2009.

The meeting adjourned at 3:45 P.M.

Signed:



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

Attest:



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