



AGENDA DOCUMENT NO. 09-75
APPROVED NOVEMBER 19, 2009

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, NOVEMBER 5, 2009

PRESENT:

Steven T. Walther, Chairman, presiding

Matthew S. Petersen, Vice Chairman

Cynthia L. Bauerly, Commissioner

Caroline C. Hunter, Commissioner

Donald F. McGahn II, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Acting Staff Director

Thomasenia P. Duncan, General Counsel

Mary W. Dove, Secretary

Chairman Steven T. Walther called the Federal Election Commission to order in an open meeting at 10:25 A.M. on Thursday, November 5, 2009, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for Thursday, October 8, 2009
Agenda Document No. 09-69**

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to approve the minutes for the Open Meeting of Thursday, October 8, 2009, as set forth in Agenda Document No. 09-69.

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 2009-25 (Drafts A and B)
Jennifer Brunner Committee, by Patrick M. Quinn, Esq.
Agenda Document No. 09-71
Agenda Document No. 09-71-A (Draft C) (Submitted late)
Agenda Document No. 09-71-B (Draft D) (Submitted late)**

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Documents No. 09-71-A and No. 09-71-B.

The motion carried on the vote of 6-0.
II. DRAFT ADVISORY OPINIONS (continued)

A. Draft Advisory Opinion 2009-25 (continued)

Chairman Walther recognized Mr. Joshua Blume of the General Counsel's Office who presented the draft advisory opinion, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to a proposed donation of campaign funds representing the value of assets owned by The Brunner Firm, LPA.

During the discussion which followed, Ms. Rosemary Smith of the General Counsel's Office responded to questions and comments.

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to instruct the General Counsel's Office to prepare a letter to the requestor stating the Commission was unable to render an opinion in this matter.

The motion carried on the vote of 6-0.

B. Draft Advisory Opinion 2009-26

Illinois State Representative Elizabeth Coulson, Coulson for Congress, and Coulson Campaign Committee, by William J. McGinley and Kathryn Biber Chen, Esqs.

Agenda Document No. 09-73 (Submitted late)

II. DRAFT ADVISORY OPINIONS (continued)

B. Draft Advisory Opinion 2009-26 (continued)

Agenda Document No. 09-73-A (Draft B) (Submitted late)

Agenda Document No. 09-73-C (Draft C) (Submitted late)

The Chairman noted Mr. William J. McGinley, on behalf of the requestor, was present to answer any questions the Commission may have during the discussion.

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Documents No. 09-73, No. 09-73-A, and No. 09-73-C.

The motion carried on the vote of 6-0.

Chairman Walther recognized Mr. Neven Stipanovic of the General Counsel's Office who presented the draft advisory opinion, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to Representative Coulson's use of State Campaign Committee and officeholder funds while a candidate for Federal office.

There was a discussion of the various drafts.

II. DRAFT ADVISORY OPINIONS (continued)

B. Draft Advisory Opinion 2009-26 (continued)

The Chairman recognized Vice Chairman Petersen, who

MOVED to approve Draft C of Draft Advisory Opinion 2009-26, as set forth in Agenda Document No. 09-73-C, and to authorize the General Counsel's Office to make any necessary technical and conforming amendments.

The motion carried on the vote of 4-2 with Commissioners

Hunter, McGahn, Petersen, and Weintraub voting affirmatively.

Commissioners Bauerly and Walther dissented.

III. PLACING FIRST GENERAL COUNSEL'S REPORTS ON THE PUBLIC RECORD

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

Agenda Document No. 09-72

Agenda Document No. 09-72-A (Submitted late)

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 09-72-A.

The motion carried on the vote of 6-0.

**III. PLACING FIRST GENERAL COUNSEL'S REPORTS ON THE
PUBLIC RECORD (continued)**

The Chairman recognized Mr. Lawrence Calvert of the General Counsel's Office who presented an overview of the subject document.

Following discussion, this matter was held over to the next open meeting.

**IV. CONTINUATION OF WEBSITE AND INTERNET COMMUNICATIONS
IMPROVEMENT INITIATIVE**

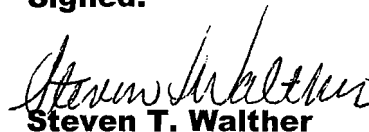
Agenda Document No. 09-74

Chairman Walther recognized Mr. Robert Biersack, a Special Assistant to the Staff Director, who provided an update on the Website and Internet initiative.

V. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 11:20 A.M.

Signed:



Steven T. Walther

Chairman of the Commission

Attest:



Mary W. Dove

Secretary of the Commission