



AGENDA DOCUMENT NO. 09-11

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, FEBRUARY 12, 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

Joseph F. Stoltz, 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 10:10 A.M. on Thursday, February 12, 2009, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for Thursday, January 29, 2009,
and Tuesday, February 3, 2009**

Agenda Document No. 09-10

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to approve the minutes for the Open Meeting of Thursday, January 29, 2009, and its continuation on Tuesday, February 3, 2009, as set forth in Agenda Document No. 09-10.

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

Bauerly, Hunter, McGahn, Petersen, Walther, and Weintraub voting affirmatively.

II. DRAFT ADVISORY OPINION 2008-21

**CME Group, Inc., by Lawrence M. Noble, Esq. and
Patricia M. Zweibel, Esq.**

Agenda Document No. 09-09 (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. 09-09.

II. DRAFT ADVISORY OPINION 2008-21 (continued)

The motion carried on the vote of 6-0.

Chairman Walther recognized Mr. Joshua Blume of the General Counsel's Office who presented the draft opinion concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to the ability of CME Group, Inc. to solicit individuals whom CME Group, Inc. regards as members of its wholly owned mercantile exchanges for voluntary contributions to CME Group, Inc.'s separate segregated fund, CME Group, Inc. PAC, regardless of whether such members own shares of stock in CME Group, Inc. During his presentation, Mr. Blume noted the following amendment:

Page 10, Line 4, delete the word, "Respecting" at the beginning of the sentence, and substitute the words "With respect to" in lieu thereof.

The Chairman recognized Vice Chairman Petersen, who

MOVED to approve draft Advisory Opinion 2008-21, as set forth in Agenda Document No. 09-09, subject to the amendment noted above.

The motion carried on the vote of 6-0.

III. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the Commission,
the meeting adjourned at 10:18 A.M.**

Signed:

**Steven T. Walther
Chairman of the Commission**

Attest:

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