



**AGENDA DOCUMENT NO. 09-75**

**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**