



AGENDA DOCUMENT NO. 09-79

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, NOVEMBER 19, 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 10:38 A.M. on Thursday, November 19, 2009, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for Thursday, November 5, 2009

Agenda Document No. 09-75

Chairman Walther recognized Vice Chairman Petersen, who

MOVED to approve the minutes for the Open Meeting of Thursday, November 5, 2009, as set forth in Agenda Document No. 09-75.

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

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

II. DRAFT NOTICE OF PROPOSED RULEMAKING ON PARTICIPATION BY FEDERAL CANDIDATES AND OFFICEHOLDERS AT NON-FEDERAL FUNDRAISING EVENTS

Agenda Document No. 09-77 (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. 09-77.

The motion carried on the vote of 6-0.

**II. DRAFT NOTICE OF PROPOSED RULEMAKING ON PARTICIPATION
BY FEDERAL CANDIDATES AND OFFICEHOLDERS AT NON-
FEDERAL FUNDRAISING EVENTS (continued)**

**The Chairman recognized Mr. David Adkins of the General
Counsel's Office who presented the subject document.**

**Following discussion, the Chairman recognized Commissioner
Weintraub, who**

**MOVED to approve the draft Notice of Proposed
Rulemaking, as set forth in Agenda Document
No. 09-77, to authorize the General Counsel's
Office to make any necessary technical and
conforming amendments, and to publish the
notice in the *Federal Register*.**

The motion carried on the vote of 6-0.

**III. DRAFT EXPLANATION AND JUSTIFICATION FOR FINAL RULES
VOTED ON DECEMBER 14, 2007, ON CAMPAIGN TRAVEL**

**Agenda Document No. 09-78 (Submitted late)
Agenda Document No. 09-78-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 Documents No. 09-78
and No. 09-78-A.**

The motion carried on the vote of 6-0.

**The Chairman recognized Ms. Joanna Waldstreicher of the General
Counsel's Office who presented the subject document.**

**III. DRAFT EXPLANATION AND JUSTIFICATION FOR FINAL RULES
VOTED ON DECEMBER 14, 2007, ON CAMPAIGN TRAVEL**

(continued)

**Following a discussion of the two drafts, the Chairman recognized
Commissioner Weintraub, who**

MOVED to approve Agenda Document No. 09-78.

**The motion failed by a vote of 3-3 with Commissioners Bauerly,
Walther, and Weintraub voting affirmatively. Commissioners Hunter,
McGahn, and Petersen dissented.**

Chairman Walther recognized Commissioner Hunter, who

**MOVED to approve Agenda Document No. 09-78-A,
to authorize the General Counsel's Office to make
any necessary technical and conforming amendments,
and to publish the notice in the *Federal Register*.**

**The motion carried on the vote of 4-2 with Commissioners Hunter,
McGahn, Petersen, and Walther voting affirmatively. Commissioners
Bauerly and Weintraub dissented.**

**IV. CONSIDERATION OF POLICY TO PLACE FIRST GENERAL
COUNSEL'S REPORTS ON THE PUBLIC RECORD**

(Continued from the meeting of November 5, 2009)

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

**IV. CONSIDERATION OF POLICY TO PLACE FIRST GENERAL
COUNSEL'S REPORTS ON THE PUBLIC RECORD**

(continued)

Agenda Document No. 09-72

Agenda Document No. 09-72-A

Agenda Document No. 09-72-B (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-B.**

The motion carried on the vote of 6-0.

**Chairman Walther recognized Mr. Lawrence Calvert of the General
Counsel's Office who presented an overview of the subject policy. There
was a discussion of the proposed Statement of Policy presented by the
Commissioners in Agenda Document No. 09-72-B.**

The Chairman recognized Vice Chairman Petersen, who

MOVED to approve Agenda Document No. 09-72-B.

The motion carried on the vote of 6-0.

**V. ADOPTION OF POLICY TO PREPARE AND PUBLISH A GUIDEBOOK
FOR COMPLAINANTS AND RESPONDENTS IN ENFORCEMENT
MATTERS**

**The Chairman stated that he had requested this item be placed on
the agenda for purpose of discussion, and that a proposed draft guidebook
would be submitted for the next open meeting.**

VI. CO-SPONSORSHIP OF 2010 COGEL ANNUAL MEETING

Agenda Document No. 09-76

Chairman Walther recognized Mr. Art Forster, Chief Communications Officer, who presented the subject document, which extended an invitation to the Commission to co-host the COGEL Annual Conference in Washington, DC in December 2010.

VII. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 11:25 A.M.

Signed:

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

Attest:

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