



AGENDA DOCUMENT NO. 11-06

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, JANUARY 20, 2011**

PRESENT:

Cynthia L. Bauerly, Chair, presiding

Caroline C. Hunter, Vice Chair

Donald F. McGahn II, Commissioner

Matthew S. Petersen, Commissioner

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Acting Staff Director

Christopher Hughey, Acting General Counsel

Shawn Woodhead Werth, Secretary and Clerk

Chair Cynthia L. Bauerly called the Federal Election Commission to order in an open meeting at 10:50 A.M. on Thursday, January 20, 2011 with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for December 16, 2010
Agenda Document 11-01**

Chair Bauerly recognized Vice Chair Hunter who

MOVED to approve Agenda Document No. 11-01, the minutes for the Open Session held on December 16, 2010.

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

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

Chair Bauerly stated that items II (Proposed Final Audit Report on the Tennessee Democratic Party (A07-07)) and IV (Proposed Final Audit Report on the Washington State Democratic Central Committee (A05-28)) would be held over to a future meeting.

Chair Bauerly recognized Vice Chair Hunter who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider the late submission of Agenda Document Nos. 10-76, 10-76-A, 10-76-B, 10-75, 10-75-A, 10-75-B, 10-74, 10-74-A, 11-02 and 11-02-A.

Without objection, the motion carried.

II. PROPOSED FINAL AUDIT REPORT ON THE TENNESSEE DEMOCRATIC PARTY (A07-07)

Agenda Document No. 10-76

(Held over from the meeting of December 2, 2010)

**Agenda Document No. 10-76-A
(Submitted Late)**

**Agenda Document No. 10-76-B
(Submitted Late)**

This item was held over to a future meeting.

III. PROPOSED FINAL AUDIT REPORT ON THE TENNESSEE REPUBLICAN PARTY FEDERAL ELECTION ACCOUNT (A07-05)

Agenda Document No. 10-75

**Agenda Document No. 10-75-A
(Submitted Late)**

**Agenda Document No. 10-75-B
(Submitted Late)**

Chair Bauerly made opening remarks about the Proposed Final Audit Report. Mr. Joseph Stoltz of the Audit Division participated in the discussion.

Chair Bauerly recognized Vice Chair Hunter who

MOVED to approve Agenda Document 10-75-B subject to restoring the volunteer materials exemption language that appears on pages 3, 13, and 16.

The motion carried on a vote of 5-1 with Commissioners

Bauerly, Hunter, McGahn, Petersen, and Weintraub voting affirmatively for the decision. Commissioner Walther dissented.

IV. PROPOSED FINAL AUDIT REPORT ON THE WASHINGTON STATE DEMOCRATIC CENTRAL COMMITTEE

Agenda Document No. 10-74

**Agenda Document No. 10-74-A
(Submitted Late)**

This item was held over to a future meeting.

V. DRAFT NOTICE OF PROPOSED RULEMAKING ON INDEPENDENT EXPENDITURES AND ELECTIONEERING COMMUNICATIONS BY CORPORATIONS AND LABOR ORGANIZATIONS

**Agenda Document No. 11-02 (Draft A)
(Submitted Late)**

**Agenda Document No. 11-02-A (Draft B)
(Submitted Late)**

Chair Bauerly recognized Ms. Esther Heiden of the General Counsel's Office who presented the subject document. A discussion followed.

Chair Bauerly recognized Commissioner Weintraub who

MOVED to adopt Agenda Document 11-02, Draft A.

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

Chair Bauerly recognized Vice Chair Hunter who

MOVED to adopt Agenda Document No. 11-02-A.

The motion failed on a vote of 3-3 with Commissioners

Hunter, McGahn, and Petersen voting affirmatively for the motion.

Commissioners Bauerly, Walther, and Weintraub dissented.

VI. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the
Commission, the meeting adjourned at 12:39 P.M.**

Signed:

**Cynthia L. Bauerly
Chair of the Commission**

Attest:

**Shawn Woodhead Werth
Secretary and Clerk of the Commission**