



AGENDA DOCUMENT NO. 07-88
APPROVED DECEMBER 14, 2007

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, DECEMBER 6, 2007

PRESENT:

Robert D. Lenhard, Chairman, presiding

David M. Mason, Vice Chairman

Hans A. von Spakovsky, Commissioner

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

**John W. Sigmon, Deputy Staff Director for
Management and Administration, representing
Patrina M. Clark, Staff Director, for a portion
of the meeting**

Patrina M. Clark, Staff Director

Thomasenia P. Duncan, General Counsel

Mary W. Dove, Secretary

Chairman Robert D. Lenhard called the Federal Election Commission to order in an open meeting at 10:30 A.M. on Thursday, December 6, 2007, with a quorum present.

I. FEDERAL SERVICE AWARDS

Chairman Lenhard, assisted by General Counsel Thomasenia Duncan and Deputy Staff Director John Sigmon, presented certificates to the following for their years of Federal service:

TEN YEAR CERTIFICATES

**Nicole Burgess, Audit
J. Duane Pugh, Cong. Affairs
Marianne Abely, OGC
Marybeth DeBeau, OGC
Danita Lee, OGC
April Sands, OGC
Mark Shonkwiler, OGC
Wade Sovonick, OGC
Cynthia Tompkins, OGC
Daniel Kent, ITD
David Taylor, ITD
Michael Hartsock, RAD
Deborah Holloway, RAD
Karen Cence, SA (Vice Ch. Mason)
John Pezzella, CFO
James Wilson, HR**

TWENTY YEAR CERTIFICATES

**Donnie Harris, Admin.
Leroy Clay, Jr., Audit
Jewani Servara, Audit
Marie Dixon, Info.
Anthony Buckley, OGC**

I. FEDERAL SERVICE AWARDS (continued)

TWENTY YEAR CERTIFICATES (continued)

**Lawrence Calvert, Jr., OGC
Delanie Painter, OGC
Kamau Philbert, OGC
Stephanie Watson, OGC
D. Patrick Donohoe, Disc.
Patrina Clark, OSD
Gwendolyn Holmes, CFO**

THIRTY YEAR CERTIFICATES

**Alex Boniewicz, Audit
Maura Callaway, OGC
Jacqueline Crawford, OGC
Alva DeJarnett Miller, OGC
Cynthia Myers, OGC
James Allen, ITD
Cynthia Deisher, ITD
Stanley Moore, ITD
Edward Ryan, RAD
Angela Dillard, CFO
Shawn Woodhead Werth, OAR**

II. CORRECTION AND APPROVAL OF MINUTES

**Minutes for November 29, 2007
Agenda Document No. 07-85**

Chairman Lenhard recognized Vice Chairman Mason, who

**MOVED to approve the minutes of the open
meeting for Thursday, November 29, 2007,
as set forth in Agenda Document No. 07-85.**

**The motion carried on the vote of 5-0 with Commissioners
Lenhard, Mason, von Spakovsky, Walther, and Weintraub voting
affirmatively.**

III. ADVISORY OPINIONS

- A. Draft Advisory Opinion 2007-23
Independence Party of New York, by A. Joshua Ehrlich, Esq.
Agenda Document No. 07-81**

The Chairman recognized Mr. Joshua Blume of the General Counsel's Office who presented draft Advisory Opinion 2007-23, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations regarding the status of the Independence Party of New York as a State party committee of a political party.

Chairman Lenhard recognized Vice Chairman Mason, who

MOVED to approve draft Advisory Opinion 2007-23, as submitted in Agenda Document No. 07-81.

The motion carried on the vote of 5-0.

- B. Draft Advisory Opinion 2007-24
Jim Burkee and Jeff Walz**

Agenda Document No. 07-83 (submitted late)

Chairman Lenhard recognized Vice Chairman Mason, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 07-83.

The motion carried on the vote of 5-0.

III. ADVISORY OPINIONS (continued)

B. Draft Advisory Opinion 2007-24 (continued)

The Chairman recognized Ms. Stacey Shin of the General Counsel's Office who presented draft Advisory Opinion 2007-24, concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to certain joint campaign and fundraising efforts by Jim Burkee for Congress and Jeff Walz for Congress.

Chairman Lenhard recognized Commissioner von Spakovsky, who

MOVED to approve draft Advisory Opinion 2007-24, as submitted in Agenda Document No. 07-83.

The motion carried on the vote of 5-0.

**C. Draft Advisory Opinion 2007-26
State Representative Aaron Schock and Citizens for Schock, by counsel, Donald F. McGahn, II, Esq.**

Agenda Document No. 07-84 (submitted late)

Chairman Lenhard recognized Vice Chairman Mason, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 07-84.

The motion carried on the vote of 5-0.

III. ADVISORY OPINIONS (continued)

C. Draft Advisory Opinion 2007-26 (continued)

Chairman Lenhard recognized Mr. Jonathan Levin of the General Counsel's Office who presented draft Advisory Opinion 2007-26 concerning the application of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations to donations by a State candidate campaign committee of a current Federal candidate to section 501(c)(3) organizations, non-Federal accounts of State and local Republican party committees, and non-Federal candidates, and to refunds to the committee's donors.

The Chairman recognized Commissioner von Spakovsky who presented the following amendments:

**Page 10, delete the sentence which begins on
Line 5 and ends on Line 6;**

Page 10, Line 8, delete the reference to question "5."

A discussion followed.

Chairman Lenhard recognized Commissioner von Spakovsky, who

**MOVED to approve draft Advisory Opinion
2007-26, as set forth in Agenda Document
No. 07-84, as amended above.**

**The motion carried on the vote of 4-1 with Commissioners Lenhard,
Mason, von Spakovsky, and Walther voting affirmatively. Commissioner
Weintraub dissented.**

III. ADVISORY OPINIONS (continued)

**D. Draft Advisory Opinion 2007-29
Representative Jesse L. Jackson, Jr.**

Agenda Document No. 07-86 (submitted late)

Chairman Lenhard recognized Vice Chairman Mason, who

**MOVED to suspend the rules on the timely
submission of agenda documents in order
to consider Agenda Document No. 07-86.**

The motion carried on the vote of 5-0.

**Chairman Lenhard recognized Mr. Richard Ewell of the General
Counsel's Office who presented draft Advisory Opinion 2007-29, concerning
the application of the Federal Election Campaign Act of 1971, as amended
(the "Act"), and Commission regulations to proposed donation of funds from
the principal campaign committee to the campaign committee of Ms. Sandi
Jackson, Representative Jackson's wife, who is seeking election to the
political party position of Committeeman of the 7th Ward in the Cook County
Democratic Party.**

A discussion followed.

III. ADVISORY OPINIONS (continued)

D. Draft Advisory Opinion 2007-29 (continued)

Chairman Lenhard recognized Vice Chairman Mason, who

**MOVED to approve draft Advisory Opinion
2007-29, as set forth in Agenda Document
No. 07-86.**

The motion carried on the vote of 4-1 with Commissioners

Lenhard, Mason, von Spakovsky, and Weintraub voting affirmatively.

Commissioner Walther dissented.

E. Draft Advisory Opinion 2007-25 (Alternative drafts)

Agenda Document No. 07-82

**Chairman Lenhard recognized Mr. Albert Kiss of the General
Counsel's Office who presented the alternative drafts of Advisory Opinion
2007-25, concerning the application of the Federal Election Campaign Act
of 1971, as amended, (the "Act"), and Commission regulations to Holland &
Knight's status as a corporation or a partnership.**

**Following discussion of Drafts A and B, it was agreed without
objection to hold this matter over for the next open meeting on Friday,
December 14, 2007.**

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

Deputy Staff Director (CIO) Alec Palmer gave a demonstration of the Congressional Campaign Finance Map for the 2008 House and Senate Campaigns which will be released on the Commission's Web site on December 17, 2007.

The meeting adjourned at 11:55 A.M.

Signed:



**Robert D. Lenhard
Chairman of the Commission**

Attest:



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

