



AGENDA DOCUMENT No. 10-72

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, NOVEMBER 4, 2010**

PRESENT:

Matthew S. Petersen, Chairman, presiding

Cynthia L. Bauerly, Vice Chair

Caroline C. Hunter, Commissioner

Donald F. McGahn II, Commissioner

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

**Patricia Carmona, Deputy Staff Director/Chief
Compliance Officer, representing Alec Palmer,
Acting Staff Director**

Christopher Hughey, Acting General Counsel

Shawn Woodhead Werth, Secretary and Clerk

Chairman Matthew S. Petersen called the Federal Election Commission to order in an open meeting at 10:17 A.M. on Thursday, November 4, 2010, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for September 23, 2010
Agenda Document No. 10-66

Minutes for October 7, 2010
Agenda Document No. 10-68

Chairman Petersen recognized Vice Chair Bauerly, who

MOVED to approve the minutes for the open meetings of September 23 and October 7, 2010, in Agenda Document Nos. 10-66 and 10-68.

The motion carried on a vote of 6-0 with Commissioners Bauerly, Hunter, McGahn, Petersen, Walther and Weintraub voting affirmatively.

II. DRAFT ADVISORY OPINION 2010-23

CTIA – The Wireless Association by Jan Witold Baran, Esq., and Caleb P. Burns, Esq.

Agenda Document No. 10-67

The Chairman noted that counsel, Mr. Caleb Burns, was present to answer any questions the Commission may have during the discussion.

Chairman Petersen recognized Mr. Theodore Lutz 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, and Commission regulations to the pledging of contributions to Federal candidates, political parties, and other political committees by sending text messages to Common Short Codes over wireless networks. A discussion followed.

It was agreed, without objection, to hold this matter over to the Commission's next open meeting.

III. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 11:20 A.M.

Signed:

**Matthew S. Petersen
Chairman of the Commission**

Attest:

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