



AGENDA DOCUMENT NO. 14-45
APPROVED SEPTEMBER 18, 2014

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, AUGUST 14, 2014

PRESENT:

Lee E. Goodman, Chairman, presiding

Ann M. Ravel, Vice Chair

Caroline C. Hunter, Commissioner

Matthew S. Petersen, Commissioner¹

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director

**Gregory R. Baker, Deputy General Counsel -
Administration**

Shawn Woodhead Werth, Secretary and Clerk

¹ Commissioner Petersen participated in the meeting by telephone.

Chairman Lee E. Goodman called the Federal Election Commission to order in an open meeting at 10:15 A.M. on Thursday, August 14, 2014 with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for July 23, 2014
Agenda Document No. 14-37**

Chairman Goodman recognized Vice Chair Ravel who

**MOVED to approve Agenda Document No. 14-37,
minutes for the open session held on July 23, 2014.**

The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.

Chairman Goodman recognized Vice Chair Ravel who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider the late submission of Agenda Document No. 14-40 (Draft A of AO 2014-07, Crowdpack); Agenda Document No. 14-40-A (Draft B of AO 2014-07, Crowdpack); Agenda Document No. 14-39 (Draft AO 2014-10, Farr); Agenda Document No. 14-41 (Draft AO 2014-09, REED Marketing Consultants); and Agenda Document No. 14-42 (Future Meeting Dates).

The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.

II. DRAFT ADVISORY OPINION 2014-07

**Crowdpac by Benjamin L. Ginsberg, Esq.
and Marc E. Elias, Esq.**

**Agenda Document No. 14-40 (Draft A)
(Submitted Late)**

**Agenda Document No. 14-40-A (Draft B)
(Submitted Late)**

(Executive Assistant Laura Basford is recused)

Chairman Goodman recognized Mr. Ginsberg and Mr. Tyler Hagenbuch, the requestor's counsel, who were present to answer Commissioners' questions.

Chairman Goodman 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 Crowdpac's request. Crowdpac, a for-profit corporation, proposes to offer to the public a web-based platform through which users can contribute to federal candidates. Mr. Lutz summarized the similarities and distinctions between the two Drafts and asked for the authority to make technical and conforming changes if the Commission approves a Draft.

Mr. Ginsberg and Mr. Adav Noti of the General Counsel's Office participated in the discussion that followed.

Chairman Goodman recognized Commissioner Weintraub who

MOVED to approve Draft B, AO 2014-07 (Crowdpac) as set forth in Agenda Document No. 14-40-A, subject to the following:

- 1. On Page 1 at the end of the sentence on Line 24 and on Page 15 at the end of the sentence on Line 5, add “for the purpose of explaining the functionality of the algorithm.”**
- 2. Authorize the Office of the General Counsel to make technical and conforming edits.**

The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.

III. DRAFT ADVISORY OPINION 2014-09

REED Marketing Consultants, Inc. by William J. McGinley, Esq.

**Agenda Document No. 14-41
(Submitted Late)**

Chairman Goodman recognized Mr. McGinley, requestor’s counsel, who was present to answer Commissioners’ questions.

Chairman Goodman recognized Ms. Esther Gyory 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 request from REED Marketing Consultants, Inc. The requestor, a marketing consulting firm that specializes in financial

services and credit card businesses, asks whether its proposed development and marketing of an affinity credit card program for political committees is permissible. Ms. Gyory asked for authority to make any necessary technical and conforming changes if the Commission approves the Draft.

Chairman Goodman welcomed the requestor's other counsel, Ms. Annie Donaldson, to the meeting.

**Chairman Goodman recognized Vice Chair Ravel who
MOVED to approve Agenda Document No. 14-41 and
authorize the Office of the General Counsel to make
any necessary technical and conforming edits.**

**The motion carried by a vote of 6-0 with Commissioners Goodman,
Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the
decision.**

IV. DRAFT ADVISORY OPINION 2014-10

Joan Farr for U.S. Senate by Joan Farr

**Agenda Document No. 14-39
(Submitted Late)**

Chairman Goodman recognized Ms. Farr who was available by telephone to answer Commissioners' questions.

Chairman Goodman recognized Ms. Joanna Waldstreicher 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 request. Ms. Farr is an independent candidate for the U.S. Senate from Oklahoma and asks whether her principal campaign committee may use campaign funds to purchase copies of a book she authored for distribution to the committee's contributors at a standard discounted rate. Ms. Waldstreicher asked for authority to make any technical and conforming changes if the Draft is approved.

Chairman Goodman recognized Vice Chair Ravel who

MOVED to approve Agenda Document No. 14-39 and authorize the Office of the General Counsel to make any necessary technical and conforming edits.

The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.

V. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON THE NEBRASKA DEMOCRATIC PARTY (RESUBMISSION)

Memorandum from the Audit Division dated July 25, 2014 – Rescind Approval of Finding 1 and Approve Revised Finding 1 (Recordkeeping for Employees)

Agenda Document No. 14-38

Chairman Goodman recognized Ms. Zuzana Pacious of the Audit Division who requested the Commission's rescission of the motion approved at the April 23, 2014 open meeting with respect to Finding 1 because the amounts for contract workers totaling \$17,826 were inadvertently included.

Discussion followed.

Chairman Goodman recognized Commissioner Weintraub who

In A11-18 (Nebraska Democratic Party), MOVED to rescind approval of the motion that was approved at the Open Meeting on April 23, 2014 by a vote of 6-0 with respect to Finding 1 (Recordkeeping for Employees).

The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.

Chairman Goodman recognized Commissioner Weintraub who

In A11-18 (Nebraska Democratic Party), MOVED to approve revised Finding 1 (Recordkeeping for Employees) as set forth in Agenda Document No. 14-38, subject to an amendment to include the \$25,428 paid to contract workers.

The motion failed by a vote of 3-3 with Commissioners Ravel, Walther, and Weintraub voting affirmatively for the motion. Commissioners Goodman, Hunter, and Petersen dissented.

Chairman Goodman recognized Commissioner Hunter who

In A11-18, MOVED to approve revised Finding 1 (Recordkeeping for Employees) as set forth in Agenda Document No. 14-38.

The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.

VI. FUTURE 2014 MEETING DATES

**Memorandum from Chairman Lee E. Goodman dated
August 13, 2014**

**Agenda Document No. 14-42
(Submitted Late)**

Chairman Goodman introduced the matter and

**MOVED to approve the meeting dates for the months
of October through December, 2014.**

**The motion carried by a vote of 6-0 with Commissioners Goodman,
Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the
decision.**

**Chairman Goodman announced that he and Vice Chair Ravel will host a
public forum at the Commission on September 17, 2014 to hear ideas and
discuss how the Commission can update, enhance, and improve the FEC
website and its contents. This forum, which is part of the Commission's
ongoing effort to improve public disclosure functions, will include: 1) open
discussions with Commissioners and senior staff about what the press,
public, and interest groups who use the data on a day-to-day basis want to
see on the website; and 2) working group break-out sessions with
Commission staff, moderated by 18F, a General Services Administration
organization that is helping the Commission to design and build an intuitive**

customer-focused website. Chairman Goodman thanked Vice Chair Ravel for her leadership and Mr. Palmer and the Information Technology staff for their hard work and leadership on this project.

Chairman Goodman recognized Vice Chair Ravel who also encouraged the public to attend the forum. She noted that because public disclosure is central to the Commission's mission, it is critical that the Commission find better ways to deliver campaign finance information to the public by making it more usable, understandable, accessible, and easy to manipulate. Vice Chair Ravel stated that she was pleased to work with the Chairman in this effort to improve the website and the delivery of information, and she also thanked Mr. Palmer and Commission staff who have been working and helping to move this forward with such alacrity.

VII. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the Commission,
the meeting adjourned at 11:00 A.M.**

Signed:



**Lee E. Goodman
Chairman of the Commission**

Attest:



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