



AGENDA DOCUMENT NO. 15-01-A

MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION  
THURSDAY, DECEMBER 11, 2014

PRESENT:

Lee E. Goodman, Chairman, presiding

Ann M. Ravel, Vice Chair

Caroline C. Hunter, Commissioner

Matthew S. Petersen, Commissioner

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director

Lisa J. Stevenson, Deputy General Counsel - Law

Shawn Woodhead Werth, Secretary and Clerk

Chairman Lee E. Goodman called the Federal Election Commission to order in an open meeting at 10:17 A.M. on Thursday, December 11, 2014 with a quorum present.

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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. 14-64-A (Advisory Opinion Draft for Rayonier, Inc.), Agenda Document No. 14-61-A (Draft Notice of Disposition on Petition to Amend 11 C.F.R. 100.4), Agenda Document No. 14-63-A (Draft 2014 Legislative Recommendations), and Agenda Document No. 14-60-B (OGC Enforcement Manual).

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

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I. CORRECTION AND APPROVAL OF MINUTES

Minutes for November 6, 2014  
Agenda Document No. 14-62-A

Chairman Goodman recognized Vice Chair Ravel who

MOVED to approve Agenda Document No. 14-62-A, minutes for the open session held on November 6, 2014.

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 2014-18

Rayonier Inc. and Rayonier Advanced Materials Inc.  
by Stefan C. Passantino, Esq. and Benjamin P. Keane, Esq.

Agenda Document No. 14-64-A (Draft A)  
(Submitted Late)

Chairman Goodman recognized Mr. Keane, requestors' counsel, who was available to answer Commissioners' questions.

Chairman Goodman recognized Ms. Cheryl Hemsley 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 the Commission regulations to the request of Rayonier Inc. ("Rayonier") and Rayonier Advanced Materials Inc. ("RYAM"). The requestors ask whether their separate segregated funds are affiliated after RYAM was spun off from Rayonier in June 2014. Ms. Hemsley asked for authority to make any necessary technical and conforming edits if the Draft is approved by the Commission.

Chairman Goodman recognized Vice Chair Ravel who

MOVED to approve Agenda Document No. 14-64-A and authorize the Office of 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.

III. PETITION TO AMEND 11 C.F.R. 100.4 – DRAFT NOTICE OF DISPOSITION

Agenda Document No. 14-61-A  
(Submitted Late)

Chairman Goodman recognized Ms. Emma Lewis of the General Counsel's Office who presented the Draft Notice. The requestor, National Convention PBC, asks the Commission to revise the definition of federal office to include delegates to a constitutional convention. Ms. Lewis asked for authority to make any necessary technical and conforming changes if the Draft is approved by the Commission.

Chairman Goodman recognized Vice Chair Ravel who

MOVED to decline to commence a rulemaking, approve Agenda Document No. 14-61-A, and authorize the Office of 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. 2014 LEGISLATIVE RECOMMENDATIONS

Memorandum from the Office of Congressional, Legislative and Intergovernmental Affairs dated December 9, 2014

Agenda Document No. 14-63-A  
(Submitted Late)

Chairman Goodman recognized Mr. Duane Pugh of the Office of Congressional, Legislative and Intergovernmental Affairs who summarized the seven 2014 legislative recommendations. The recommendations are:

1) electronic filing of Senate reports; 2) electronic filing of electioneering communication reports; 3) authority to create Senior Executive Service positions; 4) fraudulent misrepresentation of campaign authority; 5) make permanent the Administrative Fine Program for reporting violations; 6) increase and index for inflation registration and reporting thresholds; and 7) authority to accept gifts. Mr. Pugh noted the following edits under *Explanation* on Page 4: insert "the Inspector General" after "Chief Financial Officer" and change "ten" to "eleven" in the third paragraph. He thanked the Commissioners and staff for their input into this year's recommendations.

Discussion followed.

Chairman Goodman recognized Vice Chair Ravel who

MOVED to approve Agenda Document No. 14-63-A subject to the following edits in the third paragraph under *Explanation* on Page 4:

1. Insert "the Inspector General" after "Chief Financial Officer" in the second sentence.
2. Change "ten" to "eleven" in the third sentence.

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

V. REVISED ENFORCEMENT MANUAL

Memorandum from Chairman Lee E. Goodman  
dated December 4, 2014

Agenda Document No. 14-60-A

Memorandum from Commissioner Steven T. Walther  
dated December 10, 2014

Agenda Document No. 14-60-B  
(Submitted Late)

Chairman Goodman provided background information for this matter.

Discussion followed.

Chairman Goodman recognized Commissioner Petersen who

MOVED to approve Agenda Document No. 14-60-A and authorize the Office of General Counsel to make any technical and conforming edits.

Chairman Goodman recognized Commissioner Hunter who stated that she wanted to offer a friendly amendment to Commissioner Petersen's motion.

Chairman Goodman recognized Commissioner Petersen who stated that, without objection, he would accept Commissioner Hunter's changes as a friendly amendment to his motion.

Chairman Goodman recognized Commissioner Hunter who offered the following as a friendly amendment:

1. At the end of the middle paragraph in Section 1.1 (on Page 1 of 13), add "This manual will be updated periodically as approved by a vote of the Commission."
2. Add a new third paragraph in Section 1.1 (on Page 1 of 13) that reads: "This manual is comprehensive. There are no other policies, protocols, memoranda, interpretive guidance, internal directives, or emails governing OGC's Enforcement Division other than those described therein."
3. After the first sentence in the last paragraph in Section 3.2.9.1 (on Page 6 of 14), insert a new sentence that reads: "To provide an accurate, reasonable estimate of when the Commission expects to vote on a matter, OGC should confer with the Commission when practicable."

Discussion followed.

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

VI. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission,  
the meeting adjourned at 12:04 P.M.

Signed:

Lee E. Goodman  
Chairman of the Commission (2014)

Attest:

Shawn Woodhead Werth  
Secretary and Clerk of the Commission