



AGENDA DOCUMENT NO. 16-66-A
APPROVED DECEMBER 1, 2016

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, NOVEMBER 17, 2016

PRESENT: **Matthew S. Petersen, Chairman, presiding**

Steven T. Walther, Vice Chairman

Lee E. Goodman, Commissioner

Caroline C. Hunter, Commissioner

Ann M. Ravel, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director

Lisa Stevenson, Acting General Counsel

Shelley E. Garr, Deputy Secretary

Chairman Matthew S. Petersen called the Federal Election Commission to order in an open meeting at 10:26 A.M. on Thursday, November 17, 2016 with a quorum present.

Chairman Petersen recognized Vice Chairman Walther who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider the late submission of the following documents: Agenda Document No. 16-57-A-1 (Advisory Opinion 2016-20, Revised Draft A) and Agenda Document No. 16-57-B (Advisory Opinion 2016-20, Draft B).

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

I. DRAFT ADVISORY OPINION 2016-16

Gary Johnson 2012 by Dan Backer, Esq.

Agenda Document No. 16-61-A (Draft A)

Chairman Petersen recognized Ms. Jessica Selinkoff 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. The requestor, a publicly funded presidential campaign committee, asks questions regarding the sources and amounts of funds it may raise and use to meet its obligations as a result of a mandatory audit of

candidates and committees receiving public funds and additional Commission findings. Ms. Selinkoff summarized the draft.

Chairman Petersen recognized Vice Chairman Walther who

MOVED to approve Agenda Document No. 16-61-A (Draft A).

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 2016-17

**Libertarian Party of Michigan Executive Committee, Inc.
by William W. Hall, Esq.**

Agenda Document No. 16-59-A (Draft A)

Chairman Petersen recognized Mr. Joseph Wenzinger 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. The requestor asks whether it qualifies as a state party committee of the Libertarian National Party. Mr. Wenzinger summarized the draft.

Chairman Petersen recognized Vice Chairman Walther who

MOVED to approve Agenda Document No. 16-59-A (Draft A).

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 2016-18

**Ohio Green Party by Constance Gadell-Newton and
Robert J. Fitrakis**

Agenda Document No. 16-60-A (Draft A)

Chairman Petersen recognized Mr. Joseph Wenzinger 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. The requestor asks whether it qualifies as a state party committee of the National Green Party. Mr. Wenzinger summarized the draft.

Chairman Petersen recognized Vice Chairman Walther who

MOVED to approve Agenda Document No. 16-60-A (Draft A).

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 2016-19

Libertarian Party of Colorado by John C. Hjersman

Agenda Document No. 16-56-A (Draft A)

Chairman Petersen 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 the Commission regulations. The requestor asks whether it qualifies as the state committee of a national political party. Ms. Waldstreicher summarized the draft.

Chairman Petersen recognized Vice Chairman Walther who

MOVED to approve Agenda Document No. 16-56-A (Draft A).

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

V. DRAFT ADVISORY OPINION 2016-20

Christoph Mlinarchik, JD, CFCM

Agenda Document No. 16-57-A (Draft A)

**Agenda Document No. 16-57-A-1 (Revised Draft A)
(Submitted Late)**

**Agenda Document No. 16-57-B (Draft B)
(Submitted Late)**

Chairman Petersen recognized Ms. Esther Gyory of the General Counsel's Office who presented the draft advisory opinions concerning the application of the Federal Election Campaign Act of 1971, as amended, and the Commission regulations. The requestor, the sole member of a limited liability company that is a federal contractor, asks whether he may make contributions from his personal funds. Ms. Gyory summarized the three Drafts. Discussion followed.

Chairman Petersen stated that this matter would be held over to the next meeting. Because the next scheduled meeting falls after the expiration of the November 28, 2016 60-day response deadline, he requested that the General Counsel's Office reach out to the requestor for an extension of time, in the event

the Commission is unable to resolve this matter prior to that deadline. Mr. Adav Noti of the General Counsel's Office participated in the discussion that continued.

VI. DRAFT ADVISORY OPINION 2016-21

**Great America PAC by Michael T. Morley, Esq. and
Dan Backer, Esq.**

Agenda Document No. 16-58-A (Draft A)

Item VI is held over to the next meeting.

VII. PROPOSED AMENDMENTS TO DIRECTIVE 52

Agenda Document No. 16-55-A

(Held over from the October 27, 2016 meeting)

Item VII is held over to the next meeting.

**VIII. PROPOSED FINAL AUDIT REPORT ON THE UTAH REPUBLICAN
PARTY (A13-06)**

**Memorandum from the Chief Compliance Officer and Audit
Division dated October 25, 2016**

Agenda Document No. 16-62-A

Chairman Petersen recognized A'knea Smith of the Audit Division who presented the matter. Mr. Thomas Hintermister of the Audit Division participated in the discussion that followed.

Chairman Petersen stated that this matter will be held over to the next meeting.

Chairman Petersen took a point of personal privilege to send his best wishes to the Mighty Red Devils of Springville, Utah who will take on East High School in the 4A state championship on Friday at the University of Utah's Rice-Eccles Stadium. Discussion followed.

X. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the Commission,
the meeting adjourned at 10:58 A.M.**

Signed:


Matthew S. Petersen
Chairman of the Commission

Attest:


Shawn Woodhead Werth
Secretary and Clerk of the Commission


Shelley E. Garr
Deputy Secretary