



AGENDA DOCUMENT NO. 16-21-A

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, APRIL 28, 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
Daniel Petalas, 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 10:38 A.M. on Thursday, April 28, 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. 16-17-B, Draft B for AO 2016-02 (Enable Midstream Services); Agenda Document No. 16-18-B, Draft B for AO 2016-03 (Holding); Agenda Document No. 16-13-B, Proposed Statement of Policy Regarding the Public Disclosure of Certain Documents; and Agenda Document No. 16-18-C, Draft C for AO 2016-03 (Holding).

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 2016-02

Enable Midstream Services, LLC
by Meredith K. Leshner, Esq.

Agenda Document No. 16-17-A (Draft A)

Agenda Document No. 16-17-B (Draft B)
(Submitted Late)

(Held over from the April 14, 2016 meeting)

Chairman Petersen recognized Ms. Leshner, requestor's counsel, and Mr. Brian Alford, requestor's representative, who were available to answer Commissioners' questions.

Chairman Petersen recognized Mr. Anthony Buckley of the General Counsel's Office who introduced the draft advisory opinion concerning the application of the Federal Election Campaign Act of 1971, as amended, and the Commission regulations to the request. Mr. Buckley stated that Draft B was prepared in response to additional information received from the requestor.

Ms. Leshner, Mr. Alford, and Mr. Adav Noti of the General Counsel's Office participated in the discussion that followed.

Chairman Petersen recognized Commissioner Hunter who

MOVED to approve Agenda Document No. 16-17-B, Draft B.

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.

Discussion continued.

Chairman Petersen recognized Commissioner Hunter who

MOVED to approve the factual portion of Agenda Document No. 16-17-B and the portions of Draft B in the analysis section that pertain to Centerpoint Energy, Inc. PAC.

The motion carried by a vote of 5-1 with Commissioners Goodman, Hunter, Petersen, Ravel, and Walther voting affirmatively for the decision. Commissioner Weintraub dissented.

Mr. Noti participated in the discussion that resumed.

II. DRAFT ADVISORY OPINION 2016-03

George Holding for Congress, Inc. by Craig Engle, Esq.
and Brett Kappel, Esq.

Agenda Document No. 16-18-A (Draft A)

Agenda Document No. 16-18-B (Draft B)
(Submitted Late)

Agenda Document No. 16-18-C (Draft C)
(Submitted Late)

Chairman Petersen recognized Mr. Kappel, requestor's counsel, who was available to answer Commissioners' questions.

Chairman Petersen recognized Mr. Sean Wright 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. George Holding for Congress, Inc. asks whether it may raise additional contributions subject to a new contribution limit for the North Carolina congressional primary election that was postponed from March 15, 2016 to June 7, 2016. Mr. Wright summarized the distinctions among the three Drafts.

Mr. Kappel participated in the discussion that followed.

Chairman Petersen recognized Commissioner Hunter who

MOVED to approve Agenda Document No. 16-18-C.

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 FINAL RULE AND EXPLANATION AND JUSTIFICATION FOR TECHNICAL AMENDMENTS TO 2015 CFR

Agenda Document No. 16-12-A (Draft A)

Agenda Document No. 16-12-B (Draft B)

(Held over from the April 14, 2016 meeting)

Chairman Petersen recognized Mr. Eugene Lynch of the General Counsel's Office who introduced the matter and summarized the distinction between the Drafts.

Discussion followed.

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

IV. PROPOSED STATEMENT OF POLICY REGARDING THE PUBLIC DISCLOSURE OF CLOSED ENFORCEMENT FILES

Memorandum from Commissioner Lee E. Goodman
dated March 24, 2016

Agenda Document No. 16-13-A

Memorandum from Commissioner Ann M. Ravel
dated April 27, 2016

Agenda Document No. 16-13-B
(Submitted Late)

(Held over from the April 14, 2016 meeting)

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

Discussion followed.

Chairman Petersen recognized Commissioner Ravel who thanked Ms. Allison Steinle, a member of her staff, who is leaving the Commission to serve as counsel to a Commissioner at the Consumer Product Safety Commission. She said that Ms. Steinle joined the Commission in 2006 as an intern and worked in the General Counsel's Office as well as for Commissioner Weintraub. Commissioner Ravel complimented Ms. Steinle as an incredibly smart, talented, thoughtful, and careful individual, and she will miss her skill and talent.

Chairman Petersen recognized Mr. Daniel Petalas, Acting General Counsel, who said that staff in the General Counsel's Office will be sad to see the departure of Ms. Steinle, a dear colleague and terrific lawyer, who was an asset to the Commission.

Chairman Petersen thanked Ms. Steinle for her service to the Commission and wished her the best in her new position.

Chairman Petersen recognized Commissioner Weintraub who also expressed her thanks to Ms. Steinle for her talent and assistance. She then thanked Mr. Sean Rigby, her intern, who is graduating from Georgetown Law School and will be joining a law firm after taking the bar exam. She noted that he is smart, careful, hard-working, and a great guy who will be missed, and she wished him well in his new endeavors.

V. MANAGEMENT AND ADMINISTRATIVE MATTERS

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

Signed:

Matthew S. Petersen
Chairman of the Commission

Attest:

Shawn Woodhead Werth
Secretary and Clerk of the Commission