

AGENDA DOCUMENT NO. 00-94

MINUTES OF A SPECIAL OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
TUESDAY, SEPTEMBER 12, 2000

PRESENT: Darryl R. Wold, Chairman, presiding
Danny L. McDonald, Vice Chairman
David M. Mason, Commissioner
Karl J. Sandstrom, Commissioner
Bradley A. Smith, Commissioner
Scott E. Thomas, Commissioner
James A. Pehrkon, Staff Director
Lawrence M. Noble, General Counsel
Mary W. Dove, Acting Secretary

Chairman Darryl R. Wold called the Federal Election Commission to order in a special open meeting at 2:05 P.M. on Tuesday, September 12, 2000, with a quorum present.

Chairman Wold noted the special open meeting was called to consider the claims of candidates to the public funding to which the nominees of the Reform Party are entitled. Those funds are available under the Presidential Election Campaign Fund Act, and he stated it is the Commission's responsibility to determine which candidates will be entitled to receive the \$12.6 million from the United States Treasury.

The agenda listed the following items:

I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452 FOR PATRICK J. BUCHANAN AND EZOLA FOSTER

Agenda Document No. 00-85

(Placed on the agenda pursuant to the filing of an objection by Commissioner Sandstrom following circulation on a 24 hour vote basis.)

II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN AND NAT GOLDHABER

Agenda Document No. 00-88

(Placed on the agenda pursuant to the filing of objections by Commissioners Sandstrom and Smith following circulation on a 24 hour vote basis.)

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER
 Agenda Document No. 00-85 (continued)
- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN
AND NAT GOLDHABER
 Agenda Document No. 00-88 (continued)

There were two additional documents submitted late:

- III. 2000 GENERAL ELECTION ENTITLEMENT
 Agenda Document No. 00-91
 (Submitted by Commissioner Sandstrom)
- IV. SUSPENSION OF RULES TO CONSIDER DRAFT STATEMENTS
OF REASONS -- PETITIONS TO DENY CERTIFICATION OF
PUBLIC FUNDS TO PATRICK J. BUCHANAN AND EZOLA
FOSTER (LRAs #598/599)
 Agenda Document No. 00-90
 (Submitted by the Office of General Counsel)

Under procedures for consideration at this meeting, the Chairman asked for motions to waive the rules concerning the timely submission of agenda documents so that matters referenced in Items III. and IV. might be considered.

I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER
Agenda Document No. 00-85 (continued)

II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN
AND NAT GOLDHABER
Agenda Document No. 00-88 (continued)

Chairman Wold recognized Vice Chairman McDonald,
who

MOVED to suspend the rules on
the timely submission of agenda
documents in order to consider
Agenda Document No. 00-91.

The motion carried on the vote of 6-0 with
Commissioners Mason, McDonald, Sandstrom, Smith, Thomas,
and Wold voting affirmatively.

Chairman Wold recognized Vice Chairman McDonald,
who

MOVED to suspend the rules on
the timely submission of agenda
documents in order to consider
Agenda Document No. 00-90.

A discussion of the motion followed. Ms. Kim
Leslie Bright of the General Counsel's Office was asked to
explain the document.

The motion carried on the vote of 5-1 with
Commissioners Mason, McDonald, Smith, Thomas, and Wold
voting affirmatively. Commissioner Sandstrom dissented.

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER
 Agenda Document No. 00-85 (continued)

- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN
AND NAT GOLDBABER
 Agenda Document No. 00-88 (continued)

- III. 2000 GENERAL ELECTION ENTITLEMENT
 Agenda Document No. 00-91 (continued)

- IV. SUSPENSION OF RULES TO CONSIDER DRAFT STATEMENTS
OF REASONS -- PETITIONS TO DENY CERTIFICATION OF
PUBLIC FUNDS TO PATRICK J. BUCHANAN AND EZOLA
FOSTER (LRAs #598/599)
 Agenda Document No. 00-90 (continued)

Chairman Wold recognized Mr. Ray Lisi of the Audit Division who presented an overview of Agenda Documents No. 00-85 and No. 00-88. The Office of General Counsel was asked to comment on its analysis of the Audit Division's recommendations, and General Counsel Noble stated the recommendations were consistent with the Office of General Counsel's analysis and they supported the recommendations as presented.

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER
 Agenda Document No. 00-85 (continued)

- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN
AND NAT GOLDBERGER
 Agenda Document No. 00-88 (continued)

- III. 2000 GENERAL ELECTION ENTITLEMENT
 Agenda Document No. 00-91 (continued)

- IV. SUSPENSION OF RULES TO CONSIDER DRAFT STATEMENTS
OF REASONS -- PETITIONS TO DENY CERTIFICATION OF
PUBLIC FUNDS TO PATRICK J. BUCHANAN AND EZOLA
FOSTER (LRAs #598/599)
 Agenda Document No. 00-90 (continued)

Chairman Wold recognized Commissioner Sandstrom who addressed his objections.

A discussion was held.

Chairman Wold recognized Commissioner Smith, who objected to Agenda Document No. 00-88, for comments.

The discussion resumed. It was agreed without objection to consider Agenda Document No. 00-90 at the next open meeting on Thursday, September 14, 2000.

- I. 2000 GENERAL ELECTION ENTITLEMENT OF \$12,613,452
FOR PATRICK J. BUCHANAN AND EZOLA FOSTER
Agenda Document No. 00-85 (continued)
- II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN
AND NAT GOLDBERGER
Agenda Document No. 00-88 (continued)

Chairman Wold recognized Vice Chairman McDonald,
who

MOVED to take the following actions in
Agenda Document No. 00-85:

1. Make an initial determination that Mr. Patrick J. Buchanan and Ms. Ezola Foster, the Reform Party Presidential and Vice Presidential candidates, respectively, have fulfilled the requirements set forth in 26 U.S.C. §9003(a)(c) and (e) and 11 CFR §§9003.1 and 9003.2(b) and (c) and have established eligibility to receive a payment in the amount of \$12,613,452 under 26 U.S.C. §9006(b) from the Presidential Election Campaign Fund.
2. Approve the proposed letters to the candidates advising them of the Commission's initial determination, as set forth in Agenda Document No. 00-85 at Attachments III and IV.

The motion carried on the vote of 5-1 with
Commissioners Mason, McDonald, Smith, Thomas, and Wold
voting affirmatively. Commissioner Sandstrom dissented.

II. 2000 GENERAL ELECTION ENTITLEMENT FOR JOHN HAGELIN
AND NAT GOLDBABER
Agenda Document No. 00-88 (continued)

Chairman Wold recognized Vice Chairman McDonald,
who

MOVED to take the following actions in
Agenda Document No. 00-88:

1. Make an initial determination that Mr. John Hagelin and Mr. Nat Goldhaber do not meet the eligibility requirements under 11 CFR 9003.1(a)(2) and have not established eligibility to receive a payment under 26 U.S.C. §9006(b) from the Presidential Election Campaign Fund.
2. Approve the proposed letters to the candidates advising them of the Commission's initial determination, as set forth in Agenda Document No. 00-88 at Attachments III and IV.

The motion carried on the vote of 6-0 with
Commissioners Mason, McDonald, Sandstrom, Smith, Thomas,
and Wold voting affirmatively.

There being no further business to come before
the Commission, the meeting adjourned at 4:20 P.M.

Signed:

Darryl R. Wold
Chairman of the Commission

Attest:

Mary W. Dove
Acting Secretary of
the Commission

