



APPROVED DECEMBER 12, 2017

MINUTES OF AN OPEN MEETING

OF THE

FEDERAL ELECTION COMMISSION

THURSDAY, JUNE 8, 2017

PRESENT: Steven T. Walther, Chairman, presiding

Caroline C. Hunter, Vice Chair

Lee E. Goodman, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director

Lisa Stevenson, Acting General Counsel

Dayna C. Brown, Secretary and Clerk

Chairman Steven T. Walther called the Federal Election Commission to order in an open meeting at 10:14 A.M. on Thursday, June 8, 2017 with a quorum present.

Chairman Walther stated that Item I (Draft Advisory Opinion 2017-01) and Item II (Draft Advisory Opinion 2017-03) would be considered simultaneously by the Commission. The Chairman recognized Ms. Kate Belinski, Esq., counsel for the American Urological Association (AUA), and Mr. David Mason, Esq., counsel for the American Association of Clinical Urologists, Inc. (AACU), each of whom were in attendance to present their respective cases and answer Commissioners' questions.

Chairman Walther suggested that the Commission may hear the presentations from counsel today and then allow additional time for the Commissioners to consider the matter. He stated that such an approach would require an extension on behalf AUA so that the matter might be considered at the next open meeting scheduled for June 22, 2017. Ms. Belinski stated that her clients would be amenable to such an extension.

I. DRAFT ADVISORY OPINION 2017-01

American Urological Association by Kate A. Belinski, Esq.

Agenda Document No. 17-22-A (Draft A)

II. DRAFT ADVISORY OPINION 2017-03

American Association of Clinical Urologists, Inc./UROPAC by Barbara Arango and David M. Mason, Esq.

Agenda Document No. 17-23-A (Draft A)

Chairman Walther recognized Ms. Belinski who presented the advisory opinion request submitted on behalf of the American Urological Association. Ms. Belinski stated that AUA has been affiliated, via an advisory opinion issued in 2002, with the American Association of Clinical Urologists, Inc. She stated that over the years the two organizations have moved apart from one another ideologically as well as with respect to their vision and mission. Ms. Belinski further noted that the two entities also no longer have the overlapping governing structure that they once had, including no longer holding joint conferences. She explained that while there is some overlap in membership, the AACU is a much smaller organization, such that while 98% of its members are also members of AUA, only 18% of AUA's membership are also members of AACU; therefore those 82% of AUA members who are not also members of AACU, do not have a voice in the political process and no longer wish to be affiliated with AACU. Ms. Belinski further outlined the details and reasons for AUA's request for disaffiliation and stated that the 2002 advisory opinion was tenuous, at best, and urged the Commission not to continue to perpetuate its application.

Chairman Walther recognized Commissioner Goodman who listed the principal relationship points between the entities, including: historical affiliation; some overlapping membership; three members of AACU sit on a committee for the AUA; co-sponsoring of events; alignment on legislative efforts and policy related to urology; an individual who will be a board member of both entities at the same time; and one associational management firm in common at the sectional level. Commissioner Goodman asked Mr. Mason if there were any additional connection points.

Discussion continued regarding connection points.

Chairman Walther then recognized Mr. Mason who presented the advisory opinion request submitted on behalf of the American Association of Clinical Urologists, Inc. Mr. Mason stated that AACU supports Draft A which reflected both the Commission's regulation and the prior advisory opinions. As a former Commissioner of the agency, Mr. Mason stated that he was at the Commission when the 2002/2003 advisory opinion was decided; voted in favor of it; believes it was correctly decided; and that if it was correctly decided, the decision should hold significant weight for the current request. With respect to the "officer pattern," Mr. Mason stated that this is a small, discreet, professional medical group whose members share common interests, such that it is not a coincidence that the same people are serving in offices in both organizations— noting that when 13 - 14 current AACU board members have been, or are,

officers or committee members in various entities of the AUA, it is an overwhelming pattern in terms of AAU membership involvement. Mr. Mason highlighted that Commission regulations look at patterns such as these that indicate a formal or ongoing relationship, and also cited membership overlap as an important factor of consideration. He further outlined the reasons for which the Commission should find in favor of affiliation.

Mr. Kevin Hancock of the General Counsel's Office and Ms. Diane Bieri, General Counsel for AUA, participated in the discussion that followed.

Chairman Walther recognized Commissioner Goodman who stated that he would like additional time to consider the nuances of the day's discussion. Ms. Belinski reiterated that AUA would be happy to extend the deadline for their advisory opinion request to allow the Commission to consider the matter at the June 22, 2017 meeting.

Discussion resumed.

Chairman Walther recognized Commissioner Weintraub who stated that she shares Commissioner Goodman's view that additional time to consider the issues would be beneficial.

Mr. Mason stated that while AACU supports Draft A, if the Commission prepares a different draft, they would appreciate an opportunity to comment on that draft.

Chairman Walther stated that discussion of this matter would resume at the June 22 meeting.

Chairman Walther recognized Commissioner Weintraub for a point of personal privilege. Commissioner Weintraub introduced Emma Wilbur and Lawton Kariher, who will be serving as summer interns in her office. She stated that Ms. Wilbur and Mr. Kariher are undergraduates at Davidson College in North Carolina and that both are interested in domestic and international politics. She noted that Mr. Kariher is a double major in Political Science and Hispanic Studies, and Ms. Wilbur is double major in Political Science and Russian Studies. Commissioner Weintraub stated that they were delightful and hardworking, and welcomed everyone to come by to meet them.

III. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 11:14 A.M.

Signed:

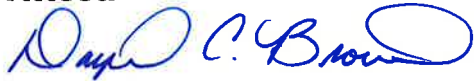

Steven T. Walther

Chairman of the Commission

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Attest:



Dayna C. Brown

Secretary and Clerk of the Commission