



APPROVED APRIL 14, 2022

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, JANUARY 27, 2022¹**

PRESENT:

Allen J. Dickerson, Chairman

Steven T. Walther, Vice Chair

Sean J. Cooksey, Commissioner

James E. "Trey" Trainor III, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director

Lisa Stevenson, Acting General Counsel

Laura E. Sinram, Acting Secretary and Clerk

Vicktoria J. Allen, Acting Deputy Secretary²

Zainab Smith, Management and Program Analyst³

¹ The meeting was conducted virtually.

² Acting Deputy Secretary Vicktoria Allen was the recording secretary for the meeting.

³ Management and Program Analyst Zainab Smith moderated the meeting.

Chairman Allen Dickerson called the Federal Election Commission to order in an open meeting at 10:06 A.M. on Thursday, January 27, 2022 with a quorum present.

I. DRAFT ADVISORY OPINION 2021-13

Matthew P. Hoh

Agenda Document No. 21-43-A (Draft A)

Agenda Document No. 21-43-B (Draft B)

Agenda Document No. 21-43-B1 (Revised Draft B)

**(Held over from the meetings of December 16, 2021
and January 13, 2022)**

Chairman Dickerson recognized Commissioner Weintraub who noted that Commissioner Broussard would be absent for the Open Meeting.

I. DRAFT ADVISORY OPINION 2021-13 (continued)

Acting Deputy Secretary Vicktoria Allen participated in a discussion clarifying which Advisory Opinion was called.

Chairman Dickerson welcomed the requestor Mr. Matthew Hoh and then recognized Mr. Joseph Wenzinger and Ms. Amy Rothstein of the General Counsel's Office. Mr. Wenzinger presented the draft advisory opinion request from Mr.

Matthew Hoh. The request asks whether Mr. Hoh's Veterans Administration disability benefits constitute earned income for purposes of the Commission's candidate salary regulation. Draft A concludes that the requestor's disability benefits constitute earned income and can be used to calculate the amount of any candidate salary he may receive under Commission regulations. Drafts B and B1 conclude that these benefits do not constitute earned income and, therefore, cannot be used to calculate the amount of any candidate salary he may receive.

Mr. Hoh participated in the discussion that followed.

Chairman Dickerson recognized Commissioner Weintraub who

**MOVED to approve Agenda Document No. 21-43-A
(Draft A).**

Mr. Wenzinger and Mr. Larry Calvert of the General Counsel's Office participated in the continuing discussion.

Chairman Dickerson called the vote on Commissioner Weintraub's pending motion. The motion failed by a vote of 1-5 with Commissioner Weintraub voting affirmatively for the motion. Commissioners Broussard⁴, Cooksey, Dickerson, Trainor, and Walther dissented.

Chairman Dickerson recognized Commissioner Cooksey who

**MOVED to approve Agenda Document No. 21-43-B1
(Revised Draft B).**

⁴ Commissioner Broussard's vote was recorded in accordance with Directive 10, Section H.

The motion carried by a vote of 5-1 with Commissioners Broussard⁵, Cooksey, Dickerson, Trainor, and Walther voting affirmatively for the motion. Commissioners Weintraub dissented.

Mr. Hoh participated in the continuing discussion.

II. PROPOSED RULE OF AGENCY PROCEDURE CONCERNING THE TREATMENT OF FOREIGN STATE RESPONDENTS AT THE INITIATION OF THE ENFORCEMENT PROCESS

**Memorandum from Chairman Allen Dickerson
dated January 20, 2022**

Agenda Document No. 22-02-A

This matter was held over to a future meeting.

III. PROPOSED FINAL AUDIT REPORT ON THE REPUBLICAN PARTY OF MINNESOTA - FEDERAL (A19-09)

**Memorandum from the Chief Compliance Officer
and Audit Division dated November 10, 2021**

Agenda Document No. 21-42-A

This matter was resolved on tally.

IV. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON THE DEMOCRACY ENGINE, INC., PAC (A19-18)

**Memorandum from the Chief Compliance Officer and
the Audit Division dated January 3, 2022**

Agenda Document No. 22-03-A

⁵ Commissioner Broussard's vote was recorded in accordance with Directive 10, Section H.

Chairman Dickerson recognized Mr. Robert Morcomb and Ms. Nicole Burgess of the Audit Division. Mr. Morcomb highlighted the three (3) findings within the Memorandum: 1) Failure to maintain a bank depository; 2) Inaccurate disclosure on the Statement of Organization; and 3) Failure to maintain records sufficient to verify reported activity.

Chairman Dickerson recognized Commissioner Trainor who asked that the matter be held over to the next meeting. Chairman Dickerson consented to Commissioner Trainor's request.

V. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 10:23 A.M.

Signed:



**Allen J. Dickerson
Chairman of the Commission (2022)**

Attest:

**Laura E. Sinram
Secretary and Clerk of the Commission**