



APPROVED NOVEMBER 10, 2022

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, SEPTEMBER 15, 2022¹**

PRESENT:

Allen Dickerson, Chairman, presiding

Dara Lindenbaum, Vice Chair

Shana M. Broussard, Commissioner

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, Program Management Analyst³

¹ This meeting was conducted as a hybrid meeting with virtual and in-person participants.

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

³ Program Management Analyst Zainab Smith moderated the meeting.

Chairman Allen Dickerson called the Federal Election Commission to order in an open meeting at 10:09 A.M. on Thursday, September 15, 2022 with a quorum present.

Chairman Dickerson recognized Vice Chair Lindenbaum who

MOVED to suspend the rules on the timely submission of agenda documents in order that the Commission may consider the late submission of Agenda Document No. 22-44-A1.

The motion carried by a vote of 6-0 with Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voting affirmatively for the decision.

I. DRAFT ADVISORY OPINION 2022-12

Ready for Ron by Lilian Rodriguez-Baz, Esq.

Agenda Document No. 22-36-A (Draft A)

Agenda Document No. 22-36-B (Draft B)

(Held over from the meetings of August 11, 2022 and August 31, 2022)

Chairman Dickerson recognized Mr. Dan Backer on behalf of the requestor. Ms. Heather Filemyr of the General Counsel's Office presented the matter.

Ready for Ron, a nonconnected hybrid PAC, asks whether it may provide to Governor Ron DeSantis, without charge, a petition containing the names and contact information of individuals who wish to encourage him to run for president in the 2024 election and to provide regular updates with the contact information of additional petition signatories through the 2024 election cycle. Draft A concludes that the requestor may not provide the names and contact information to Governor DeSantis either before or after he becomes a federal candidate because the value of the information would exceed applicable contribution limits and limits on funds used to test the waters for a federal candidacy. Draft A also concludes that the proposal is contrary to restrictions on the use of funds in a hybrid PAC's noncontribution account. Draft B concludes that the requestor may provide the names and contact information to Governor DeSantis before he begins testing the waters for a federal candidacy because neither the Act nor Commission regulations prohibit such activity, but that it may not do so after he begins testing the waters or becomes a federal candidate. Draft B also concludes that the proposal is contrary to restrictions on the use of funds in a hybrid PAC's noncontribution account if the information is provided after Governor DeSantis begins testing the waters or becomes a federal candidate.

Mr. Backer participated in the discussion that followed.

Chairman Dickerson recognized Vice Chair Lindenbaum who

**MOVED to approve Agenda Document No. 22-36-A,
which is Draft A.**

Discussion continued.

**Chairman Dickerson called the vote. The motion failed by a vote of 3-3
with Commissioners Broussard, Lindenbaum, and Weintraub voting affirmatively
for the motion. Commissioners Cooksey, Dickerson, and Trainor dissented.**

Chairman Dickerson recognized Commissioner Cooksey who

**MOVED to approve Agenda Document No. 22-36-B,
which is Draft B.**

Discussion continued.

**Chairman Dickerson called the vote. The motion failed by a vote of 2-4
with Commissioners Cooksey and Trainor voting affirmatively for the motion.
Commissioners Broussard, Dickerson, Lindenbaum, and Weintraub dissented.**

Discussion continued.

Chairman Dickerson recognized Commissioner Weintraub who

**MOVED to direct the Office of General Counsel to
prepare a response that answers the parts of the
question where the two drafts overlap and then says the
Commission couldn't agree on the rest.**

**The motion carried by a vote of 4-2 with Commissioners Broussard,
Dickerson, Lindenbaum, and Weintraub voting affirmatively for the decision.
Commissioners Cooksey and Trainor dissented.**

Mr. Backer and Ms. Filemyr participated in the continuing discussion.

II. DRAFT ADVISORY OPINION 2022-17

**Warren Democrats by Kate Sawyer Keane, Esq.
and Sarah N. Mahmood, Esq.**

Agenda Document No. 22-44-A (Draft A)

**Agenda Document No. 22-44-A1 (Revised Draft A)
(Submitted Late)**

**Chairman Dickerson recognized Mr. Joshua Blume of the General
Counsel's Office who presented the matter.**

**Warren Democrats, Inc. is the principal campaign committee of Senator
Elizabeth Warren. The committee asks whether it may use campaign funds to
pay for reasonable cybersecurity measures to protect the home network of the
Senator, which connects to her electronic devices, as well as to those of
household members and to visitors to the household. The drafts conclude that
the committee may use campaign funds for this purpose because it would
constitute an ordinary and necessary expense incurred in connection with the
Senator's duties as a federal officeholder. Revised Draft A does not differ
substantively from Draft A but contains some technical changes.**

**Chairman Dickerson recognized Ms. Sarah Mahmood on behalf of the
requestor and then recognized Vice Chair Lindenbaum who**

**MOVED to approve Agenda Document No. 22-44-A1,
which is Revised Draft A.**

The motion carried by a vote of 6-0 with Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voting affirmatively for the decision.

III. FINAL DETERMINATION ON ELIGIBILITY TO RECEIVE PRIMARY ELECTION PUBLIC FUNDS – HOWIE HAWKINS AND HOWIE HAWKINS FOR OUR FUTURE, F/K/A HOWIE HAWKINS 2020 (LRA 1132)

Memorandum to the Commission dated August 19, 2022

Agenda Document No. 22-45-A

This matter was resolved on tally.

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 11:10 A.M.

Signed:



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

Attest:

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