



APPROVED AUGUST 9, 2023

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, JUNE 22, 2023¹**

PRESENT:

Dara Lindenbaum, Chair, presiding

Sean J. Cooksey, Vice Chairman

Shana M. Broussard, Commissioner

Allen J. Dickerson, Commissioner

James E. "Trey" Trainor III, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director²

Lisa Stevenson, Acting General Counsel

Laura E. Sinram, Secretary and Clerk

Vicktoria J. Allen, Deputy Secretary³

Maureen Benitz, Program Management Analyst⁴

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

² Chief Compliance Officer Patricia Orrock represented Staff Director Palmer.

³ Deputy Secretary Vicktoria Allen was the recording secretary for the meeting.

⁴ Program Management Analyst Maureen Benitz moderated the meeting.

Chair Dara Lindenbaum called the Federal Election Commission to order in an open meeting at 10:32 A.M. on Thursday, June 22, 2023 with a quorum present.

I. REG 2023-01 (USE OF ARTIFICIAL INTELLIGENCE IN CAMPAIGN ADS) – DRAFT NOTIFICATION OF AVAILABILITY

Memorandum to the Commission dated June 15, 2023

Agenda Document No. 23-14-A

Chair Lindenbaum recognized Ms. Jennifer Waldman and Mr. Robert Knop of the General Counsel's Office. Ms. Waldman presented the matter.

Agenda Document No. 23-14-A contains a Draft Notice of Availability for a Petition for Rulemaking submitted by Public Citizen. The petition asks the Commission to specify in regulation or guidance that its statutory provision regarding the fraudulent misrepresentation of campaign authority applies to deliberately deceptive artificial intelligence campaign advertisements. The notification seeks comment on whether the Commission should commence a rulemaking based on this petition. The comment period will run for 60 days following publication of the notification in the Federal Register. After the comment period has concluded, and after the comments have been considered, the Commission may decide whether to initiate a rulemaking.

Discussion followed.

Chair Lindenbaum recognized Commissioner Weintraub who

MOVED to publish the petition in the Federal Register for public comment and proceed in the ordinary course.

The motion failed by a vote of 3-3 with Commissioners Broussard, Lindenbaum, and Weintraub voting in favor of the motion. Commissioners Cooksey, Dickerson, and Trainor dissented.

Chair Lindenbaum recognized Commissioner Weintraub for a point of personal privilege. Commissioner Weintraub recognized her longest serving Executive Assistant, Mr. Tom Moore, who is leaving the FEC. Commissioner Weintraub thanked him and wished him well in his new position.

II. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON THE COMMUNICATIONS WORKERS OF AMERICA-COPE POLITICAL CONTRIBUTIONS COMMITTEE (A21-09)

Memorandum to the Commission dated June 6, 2023

Agenda Document No. 23-12-A

This matter was resolved on tally.

III. PROPOSED AGENCY PROCEDURE REGARDING LITIGATION BROUGHT PURSUANT TO 52 U.S.C. § 30109(a)(8)

Memorandum from Commissioner Allen Dickerson dated June 15, 2023

Agenda Document No. 23-13-A

This matter was held over to a future meeting.

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 10:42 A.M.

Signed:

A handwritten signature in black ink, appearing to read 'Dara Lindenbaum', written over a horizontal line.

**Dara Lindenbaum
Chair of the Commission**

Attest:

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