



APPROVED APRIL 25, 2025

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, MARCH 25, 2021¹**

PRESENT:

Shana M. Broussard, Chair, presiding

Allen Dickerson, Vice Chair

Sean J. Cooksey, Commissioner

James E. "Trey" Trainor III, Commissioner

Steven T. Walther, Commissioner

Ellen L. Weintraub, Commissioner

Alec Palmer, Staff Director²

Lisa Stevenson, Acting General Counsel

Laura E. Sinram, Acting Secretary and Clerk³

Vicktoria J. Allen, Acting Deputy Secretary⁴

¹ The meeting was conducted virtually.

² Ms. Patricia Orrock, Chief Compliance Officer, represented Mr. Palmer for ITEM VI.

³ Acting Secretary Laura Sinram moderated the meeting.

⁴ Acting Deputy Secretary Vicktoria Allen was the recording secretary for the meeting.

Chair Shana M. Broussard called the Federal Election Commission to order in an open meeting at 10:10 A.M. on Thursday, March 25, 2021 with a quorum present.

Chair Broussard recognized Vice Chair Dickerson who

MOVED that the Commission add to the agenda Draft Advisory Opinion Request 2021-01 and that the Commission determine, pursuant to 11 C.F.R. § 2.7(d) that business so requires and no earlier public announcement was possible; and

FURTHER MOVED to suspend the rules on the timely submission of agenda documents in order that the Commission may consider Agenda Documents No. 21-15-B, 21-19-A, and 21-19-B.

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

I. POSSIBLE USE OF CAMPAIGN FUNDS FOR RESIDENTIAL AND PERSONAL SECURITY

A. DRAFT ADVISORY OPINION 2021-03 (formerly Item I.B)

National Republican Senatorial Committee (NRSC) and National Republican Congressional Committee (NRCC) by Jessica Furst Johnson, Esq., Chris Winkelman, Esq., Ryan Dollar, Esq., and Erin Clark, Esq.

**Agenda Document No. 21-19-A
(Submitted Late)**

**Agenda Document No. 21-19-B
(Submitted Late)**

**Agenda Document No. 21-19-C
(Submitted Late)**

**(Held over from the meetings of February 25, 2021
and March 11, 2021)**

Chair Broussard welcomed the requestors' attorneys, Ms. Jessica Furst Johnson and Mr. Ryan Dollar.

Chair Broussard recognized Mr. Heather Filemyr and Mr. Robert Knop of the General Counsel's Office. Mr. Knop presented the draft advisory opinion request from National Republican Senatorial Committee (NRSC) and National Republican Congressional Committee (NRCC). The requestors, who are national party committees comprised of all sitting Republican Members of the Senate and the House, ask whether their members may use campaign funds to pay for personal security expenses to protect themselves and their immediate family members in light of the current heightened threat environment to which they are subject because of their duties as officeholders. Both Draft A and Draft B conclude that they may because the costs arise due to Senators' and Representatives' roles as federal officeholders.

Ms. Furst Johnson and Mr. Dollar participated in the discussion that followed.

**The meeting recessed at 10:39 A.M. and reconvened at 10:42 A.M.
with a quorum present.**

I. POSSIBLE USE OF CAMPAIGN FUNDS FOR RESIDENTIAL AND PERSONAL SECURITY

A. DRAFT ADVISORY OPINION 2021-03 (formerly Item I.B) (continued)

Mr. Knop of the General Counsel's Office participated in the continuing discussion.

The meeting recessed at 11:09 A.M. and reconvened at 12:10 P.M. with a quorum present.

I. POSSIBLE USE OF CAMPAIGN FUNDS FOR RESIDENTIAL AND PERSONAL SECURITY

A. DRAFT ADVISORY OPINION 2021-03 (formerly Item I.B) (continued)

Chair Broussard recognized Vice Chair Dickerson who

MOVED to take the following actions:

- 1. Approve original Draft A, as set forth in Agenda Document No. 21-19-A, with the addition of adding the phrase "bona fide and legitimate" as appropriate in the following lines page 1 line 16, page 3 line 4, and page 5 lines 3 and 8.**

- 2. Direct the Office of General Counsel to add that phrase before the descriptions of security personnel, if any such incidents have been missed.**

Mr. Larry Calvert, Mr. Neven Stipanovic, and Mr. Knop of the General Counsel's Office participated in the discussion that followed.

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

Acting General Counsel Lisa Stevenson participated in the continuing discussion.

The meeting recessed at 12:27 P.M. and reconvened at 1:06 P.M. with a quorum present.

I. POSSIBLE USE OF CAMPAIGN FUNDS FOR RESIDENTIAL AND PERSONAL SECURITY

A. DRAFT ADVISORY OPINION 2021-03 (formerly Item I.B) (continued)

Chair Broussard recognized Vice Chair Dickerson 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. 21-19-C.

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

Chair Broussard recognized Vice Chair Dickerson who

MOVED to adopt the Second Revised Draft A, Agenda Document No. 21-19-C.

Discussion followed.

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

Discussion followed.

Commissioner Walther

MOVED to instruct the Regulations Committee to proceed with all deliberate speed to open a Notice of Proposed Rulemaking on the subject of candidate security broadly and to open a notice and comment period at the earliest opportunity.

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

V. DRAFT ADVISORY OPINION 2021-01

Aluminate, Inc. by Robert L. Fealy

Agenda Document No. 21-15-A

**Agenda Document No. 21-15-B
(Submitted Late)**

(Held over from the meeting of March 11, 2021)

Chair Broussard welcomed the requestors and recognized Mr. Joseph Wenzinger and Ms. Amy Rothstein of the General Counsel's Office. Mr. Wenzinger presented the draft advisory opinion request from Aluminate, Inc. The requestor, a for-profit corporation, asks whether it may use individual contributor data from Commission reports in providing commercial services to colleges, universities, and other not-for-profit corporations. Draft A concludes that Aluminate may not use contributor data as proposed because the data would be used to enhance Aluminate's clients' fundraising efforts and such use constitutes a solicitation or commercial purpose in violation of the Act and Commission regulations. Draft B concludes that Aluminate may use contributor data as proposed because the data, which is generalized and would not include any individual's contact information, would be insufficient to generate solicitations and, thus, is in compliance with the Act and Commission regulations.

Mr. Wenzinger and Mr. Fealy participated in the discussion that followed.

Chair Broussard recognized Commissioner Cooksey who

**MOVED to approve Draft B, which is Agenda Document
No. 21-15-B.**

Discussion continued.

**Chair Broussard called the vote. The motion failed by a vote of 2-3 with
Commissioners Cooksey and Trainor voting affirmatively for the motion.
Commissioners Broussard, Walther, and Weintraub dissented. Commissioner
Dickerson abstained.**

Discussion continued.

Commissioner Weintraub

**MOVED to approve Agenda Document No. 21-15-A,
which is Draft A.**

**The motion failed by a vote of 3-2 with Commissioners Broussard, Walther,
and Weintraub voting affirmatively for the motion. Commissioners Cooksey and
Trainor dissented. Commissioner Dickerson abstained.**

**IV. PROPOSED FINAL AUDIT REPORT ON THE MISSISSIPPI REPUBLICAN
PARTY (A17-15)**

**Memorandum from the Chief Compliance Officer and
Audit Division dated March 4, 2021**

Agenda Document No. 21-17-A

(Resolved on tally)

**III. RESUBMISSION - PROPOSED MODIFICATIONS TO PROGRAM FOR
REQUESTING CONSIDERATION OF LEGAL QUESTIONS BY THE
COMMISSION (LRA 1129)**

**Memorandum from the Compliance Office and the Office
of General Counsel dated March 16, 2021**

Agenda Document No. 21-18-A

(Held over from the meeting of March 11, 2021)

(To be held over to a future meeting)

**II. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON DR. RAUL RUIZ
FOR CONGRESS (A19-03)**

**Memorandum from the Chief Compliance Officer
and Audit Division dated January 8, 2021**

Agenda Document No. 21-09-A

**Draft Final Audit Report Response from Dr. Raul
Ruiz for Congress**

Agenda Document No. 21-09-B

**(Held over from the meetings of February 25, 2021
and March 11, 2021)**

**Chair Broussard recognized Mr. William Antosz and Mr. Kendrick Smith of
the Audit Division. Mr. Antosz highlighted the two findings within the
Memorandum: 1) Misstatement of Financial Activity, and 2) Personal Use of
Campaign Funds.**

Discussion followed.

**The meeting recessed at 1:45 P.M. and reconvened at 2:06 P.M. with a
quorum present.**

II. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON DR. RAUL RUIZ FOR CONGRESS (A19-03) (continued)

Ms. Danita Alberico and Mr. Lorenzo Holloway of the General Counsel's Office, and Ms. Dayna Brown, Mr. Antosz and Mr. Smith of the Audit Division participated in the continuing discussion.

Chair Broussard recognized Commissioner Weintraub who

MOVED to approve Finding #2 as described in the Audit Division Recommendation Memorandum on Dr. Raul Ruiz for Congress (A19-03) and the associated discussion in the Draft Final Audit Report.

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

Chair Broussard recognized Commissioner Trainor who

MOVED to not adopt the recommendations, also known as Findings 1 and 2, in the Audit Division Recommendation Memorandum on Dr. Raul Ruiz for Congress (A19-03).

Discussion followed.

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

VI. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the Commission, the
meeting adjourned at 2:57 P.M.**

Signed:



**Shana M. Broussard
Chair of the Commission (2021)**

Attest:

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