



**APPROVED AUGUST 9, 2023**

**MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION  
THURSDAY, MAY 18, 2023<sup>1</sup>**

**PRESENT:**

**Dara Lindenbaum, Chair, presiding**

**Sean J. Cooksey, Vice Chairman**

**Shana M. Broussard, Commissioner**

**Allen J. Dickerson, Commissioner**

**James E. "Trey" Trainor III, Commissioner**

**Alec Palmer, Staff Director<sup>2</sup>**

**Lisa Stevenson, Acting General Counsel**

**Laura E. Sinram, Secretary and Clerk**

**Vicktoria J. Allen, Deputy Secretary<sup>3</sup>**

**Maureen Benitz, Program Management Analyst<sup>4</sup>**

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

<sup>2</sup> Deputy Staff Director for Management and Administration Kate Higginbotham represented Staff Director Palmer.

<sup>3</sup> Deputy Secretary Vicktoria Allen was the recording secretary for the meeting.

<sup>4</sup> Program Management Analyst Maureen Benitz moderated the meeting.

**Chair Dara Lindenbaum called the Federal Election Commission to order in an open meeting at 10:33 A.M. on Thursday, May 18, 2023 with a quorum present.**

**I. INTERIM FINAL RULE AMENDING 11 C.F.R. § 110.4(b)(1)(iii) REGARDING CONTRIBUTIONS IN THE NAME OF ANOTHER**

**Memorandum from Commissioners Shana M. Broussard and Allen J. Dickerson dated May 10, 2023**

**Agenda Document No. 23-11-A**

**Chair Lindenbaum recognized Ms. Cheryl Hemsley of the General Counsel's Office who presented the matter. The draft Interim Final Rule (IFR) regarding the regulatory prohibition on knowingly helping or assisting any person in making a contribution in the name of another. A 2018 order of the United States District Court in FEC v. Swallow enjoined the Commission from enforcing the provision and ordered the Commission to strike it from the Code of Federal Regulations. The Commission did not appeal that order. Accordingly, the draft IFR would remove the affected prohibition. The draft IFR invites comments on this revision to the regulations. Ms. Hemsley also provided some suggested edits to the document.**

**Commissioner Dickerson made remarks on the draft.**

**Chair Lindenbaum then recognized Commissioner Dickerson who**

**MOVED to adopt Agenda Document No. 23-11-A, subject to the revisions recommended by the Office of General Counsel at the table.**

**The motion carried by a vote of 5-0 with Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, and Trainor voting affirmatively for the decision. Commissioner Weintraub was not present and did not vote.**

**II. MANAGEMENT AND ADMINISTRATIVE MATTERS**

**There being no further business to come before the Commission, the meeting adjourned at 10:38 A.M.**

**Signed:**

A handwritten signature in black ink, appearing to read 'Dara Lindenbaum', written in a cursive style.

**Dara Lindenbaum  
Chair of the Commission**

**Attest:**

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