



AGENDA DOCUMENT NO. 18-20-A

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, MARCH 8, 2018**

PRESENT:

Caroline C. Hunter, Chair, presiding

Ellen L. Weintraub, Vice Chair

Matthew S. Petersen, Commissioner

Steven T. Walther, Commissioner

Alec Palmer, Staff Director¹

Lisa Stevenson, Acting General Counsel

Dayna C. Brown, Secretary and Clerk

¹ Ms. Debbie Chacona of the Office of Compliance represented Staff Director Palmer.

Chair Caroline C. Hunter called the Federal Election Commission to order in an open meeting at 10:07 A.M. on Thursday, March 8, 2018 with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for December 7, 2017
Agenda Document No. 18-07-A**

**Minutes for December 14, 2017
Agenda Document No. 18-08-A**

**Minutes for January 11, 2018
Agenda Document No. 18-09-A**

Chair Hunter recognized Vice Chair Weintraub who

MOVED to approve the minutes for the meeting of December 7, 2017 as set forth in Agenda Document No. 18-07-A; the minutes for the meeting of December 14, 2017 as set forth in Agenda Document No. 18-08-A; and the minutes for the meeting of January 11, 2018 as set forth in Agenda Document No. 18-09-A.

The motion carried by a vote of 4-0 with Commissioners Hunter, Petersen, Walther, and Weintraub voting affirmatively for the decision.

II. REG 2011-02: DRAFT NOTICE OF PROPOSED RULEMAKING ON INTERNET COMMUNICATION DISCLAIMERS AND DEFINITION OF "PUBLIC COMMUNICATION"

(To be circulated)

Chair Hunter stated that while the Commission intended to discuss and vote on the document today, they are still in the process of finalizing the document, having worked late into the evening the night before. The Chair

highlighted that the Commission was working in a collegial manner to arrive at an end-product which will garner four (4) votes. She explained that the process of merging two proposals together can be complicated and that every effort was being made to ensure that the final product was one the public could easily read and understand. Chair Hunter stated that the Commission intends to vote on the document on Tuesday or Wednesday of the following week.

Chair Hunter recognized Vice Chair Weintraub who expressed her eagerness to have had the document ready to be voted on today and stated that she and the Chair were working very hard to produce a document that will obtain unanimous support in order for the rulemaking process to begin. Vice Chair Weintraub stated that when she put her proposal out on February 15th, she explained that there was another proposal in the works and indicated at that time that her proposal would likely be folded into a larger document, and that this is what is currently taking place. She stated that the document is long and complicated and that the Commission was working to ensure that it is clear so that people will know just what they are commenting on. Vice Chair Weintraub stated that she was looking forward to putting the final proposal out, receiving many great comments, having a hearing and great discussion, and moving the ball forward on this important issue that so many people care about. She highlighted her goal of continuing

to push this forward so that a rule is in place before the election, as the primaries are already underway. Vice Chair Weintraub echoed the Chair's optimism that the Commission will be able to approve the draft notice next week.

III. REG 2011-02: DRAFT NOTICE OF PROPOSED RULEMAKING ON INTERNET COMMUNICATION DISCLAIMERS

**Memorandum from Vice Chair Ellen L. Weintraub
dated February 15, 2018**

Agenda Document No. 18-10-A

Chair Hunter stated this matter was discussed within Vice Chair Weintraub's comments on Item II. (see above).

IV. DRAFT ADVISORY OPINION 2018-01

**Libertarian Party of Utah by Ms. Caryn Terres, Treasurer
Dan Backer, Esq.**

**Agenda Document No. 18-11-A (Draft A)
(Submitted Late)**

Chair Hunter recognized Vice Chair Weintraub who

MOVED to waive the rules on timely submission of agenda documents so that the Commission may consider Agenda Document No. 18-11-A, a Draft Advisory Opinion for the Libertarian Party of Utah.

The motion carried by a vote of 4-0 with Commissioners Hunter, Petersen, Walther, and Weintraub voting affirmatively for the decision.

IV. DRAFT ADVISORY OPINION 2018-01 (continued)

Chair Hunter recognized Mr. Robert Knop of the General Counsel's Office who presented the draft advisory opinion concerning whether the Libertarian Party of Utah qualifies as a state committee of a political party, and the draft concludes that it does. The requestor has demonstrated that the Libertarian National Party is a national political party. The requestor is recognized as part of that national political party in terms of the official structure of the party, and the requestor has also demonstrated that it is responsible for the day-to-day operations of the Libertarian National Party at the state level.

Chair Hunter recognized Vice Chair Weintraub who

MOVED that the Commission add to the agenda consideration of Advisory Opinion 2018-01, Libertarian Party of Utah, 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.

Vice Chair Weintraub explained that the Commission would not hold open meetings for several weeks while the agency moves to its new location, and therefore added this matter to the agenda late in order to discuss it prior to the gap in meetings.

The motion carried by a vote of 4-0 with Commissioners Hunter, Petersen, Walther, and Weintraub voting affirmatively for the decision.

IV. DRAFT ADVISORY OPINION 2018-01 (continued)

Chair Hunter recognized Vice Chair Weintraub who

MOVED to approve Draft Advisory Opinion 2018-01 as set forth in Agenda Document No. 18-11-A.

The motion carried by a vote of 4-0 with Commissioners Hunter, Petersen, Walther, and Weintraub voting affirmatively for the decision.

V. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 10:17 A.M.

Signed:

**Caroline C. Hunter
Chair of the Commission**

Attest:

**Dayna C. Brown
Secretary and Clerk of the Commission**