



AGENDA DOCUMENT NO. 18-38-A

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, AUGUST 2, 2018

PRESENT: Caroline C. Hunter, Chair, presiding
Ellen L. Weintraub, Vice Chair
Matthew S. Petersen, Commissioner
Steven T. Walther, Commissioner
Alec Palmer, Staff Director
Dayna C. Brown, Secretary and Clerk

Chair Caroline C. Hunter called the Federal Election Commission to order in an open meeting at 10:10 A.M. on Thursday, August 2, 2018 with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for August 2, 2018
Agenda Document No. 18-35-A

Chair Hunter recognized Vice Chair Weintraub who

MOVED to approve the minutes of the minutes for the meeting June 28, 2018 as set forth in Agenda Document No. 18-35-A.

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

Chair Hunter stated that there were two advisory opinions on the agenda and that the order of their discussion would be reversed while the Commission waits for counsel in Draft Advisory Opinion 2018-08 to call into the meeting.

III. DRAFT ADVISORY OPINION 2018-10

United Utah Party by David Bateman
Agenda Document No. 18-37-A (Draft A)

Chair Hunter recognized Mr. Jedidiah Blake II, one of the Commission's summer interns in the Office of General Counsel, who presented the draft

advisory opinion request from the United Utah Party Candidate Committee. The requestor asks whether it qualifies as a state party committee. The draft concludes the organization meets the requirements for a state committee of a political party. First, the requestor is a political party; second, the requestor has an official party structure; and third, the requestor is responsible for the day-to-day operations of the United Utah Party on the state level, pursuant to the Act and Commission regulations.

Chair Hunter recognized Vice Chair Weintraub who

MOVED to approve the answer to the request of the United Utah Party, Advisory Opinion request 2018-10, as set forth in Agenda Document No. 18-37-A.

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

Chair Hunter indicated that the Commission would take a brief recess to determine whether counsel in Advisory Opinion 2018-08 was reachable.

The meeting recessed at 10:13 A.M. and reconvened at 10:31 A.M. with a quorum present.

II. DRAFT ADVISORY OPINION 2018-08

Issa by Charles H. Bell, Esq. and Terry J. Martin, Esq.

Agenda Document No. 18-36-A (Draft A)

Chair Hunter indicated that the Commission waited some time for Mr. Charles Bell, counsel in this matter, to call into the meeting; however, the Commission understood Mr. Bell to be traveling and that he appeared unable to call in at this time. She further indicated that the Commission would proceed with the matter in light of the fact that Mr. Bell did not request that the matter be held indefinitely until he was able call in.

Chair Hunter highlighted that this was Mr. Neven Stipanovic's first meeting as the new Acting Associate General Counsel [for Policy] and welcomed him to his new role. The Chair then recognized Mr. Joseph Wenzinger of the General Counsel's Office who presented the draft advisory opinion request from Congressman Darrell Issa. The requestor asks whether he may reactivate his previous administratively terminated Senate campaign committee and then transfer campaign funds and recount funds for his principal campaign committee to the reactivated committee to repay part of the loan from the candidate to that committee. The draft concludes that Congressman Issa's principal campaign committee may transfer campaign funds to the reactivated committee, subject to various reporting requirements, but that it may not transfer recount funds. The draft also concludes that the \$250,000 post-

election limit on the repayment of candidate loans established by the Bipartisan Campaign Reform Act does not apply to the loan made by the candidate to his Senate committee.

Discussion followed.

Chair Hunter recognized Commissioner Petersen who

MOVED to approve Draft A, as set forth in Agenda Document No. 18-36-A.

Commissioner Walther stated, for the record, that he would approve the advisory opinion were the amount \$250,000.

Discussion continued.

The motion failed by a vote of 2-2 with Commissioners Hunter and Petersen voting affirmatively for the motion. Commissioners Walther and Weintraub dissented.

Discussion continued with regard to recount funds.

IV. MANAGEMENT AND ADMINISTRATIVE MATTERS

There being no further business to come before the Commission, the meeting adjourned at 10:47 A.M.

Signed:

Caroline C. Hunter
Chair of the Commission

Attest:

Dayna C. Brown
Secretary and Clerk of the Commission