



AGENDA DOCUMENT NO. 12-68

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION
THURSDAY, SEPTEMBER 20, 2012**

PRESENT:

Caroline C. Hunter, Chair, presiding

Ellen L. Weintraub, Vice Chair

Cynthia L. Bauerly, Commissioner

Donald F. McGahn II, Commissioner

Matthew S. Petersen, Commissioner

Steven T. Walther, Commissioner

Alec Palmer, Staff Director

Anthony Herman, General Counsel

Shawn Woodhead Werth, Secretary and Clerk

Chair Caroline C. Hunter called the Federal Election Commission to order in an open meeting at 11:10 A.M. on Thursday, September 20, 2012 with a quorum present.

Chair Hunter stated that the delay in the start of the meeting was the result of discussions concerning pending litigation and a hearing scheduled for later today. She noted that some matters would be held over to a future meeting.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for August 23, 2012
Agenda Document No. 12-67**

Chair Hunter recognized Vice Chair Weintraub who

**MOVED to approve the minutes for August 23,
2012 as set forth in Agenda Document No. 12-67.**

The motion carried on a vote of 6-0 with Commissioners Bauerly, Hunter, McGahn, Petersen, Walther and Weintraub voting affirmatively for the decision.

II. DRAFT ADVISORY OPINION 2012-25

**American Future Fund, American Future Fund
Political Action, Mr. David McIntosh and
David McIntosh for Indiana by Jason Torchinsky,
Esq. and Mr. Michael Bayes, Esq.**

Chair Hunter noted that this matter would be held over to a future meeting.

III. DRAFT ADVISORY OPINION 2012-31

AT&T Inc. by Wayne Watts, General Counsel

Agenda Document No. 12-66

Chair Hunter recognized Ms. Joanna Waldstreicher of the General Counsel's Office who presented the draft advisory opinion concerning the application of the Federal Election Campaign Act of 1971, as amended, and Commission regulations to AT&T's proposal to establish a new rate structure for processing contributions to political committees by text message. The new rate structure will likely be substantially less than the rates that AT&T Inc. currently charges commercial content providers to use its text message platform. AT&T asks whether it can establish the rate structure without making in-kind contributions to the political committees.

Chair Hunter recognized Vice Chair Weintraub who

MOVED to approve the answers set forth in Agenda Document No. 12-66, a response to Advisory Opinion 2012-31 of AT&T Inc., and authorize the Office of General Counsel to make any technical and conforming changes.

The motion carried on a vote of 6-0 with Commissioners Bauerly, Hunter, McGahn, Petersen, Walther and Weintraub voting affirmatively for the decision.

**IV. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON
RIGHTMARCH.COM PAC, INC. (A09-25)**

**Memorandum from the Audit Division dated
August 2, 2012**

Agenda Document No. 12-65

**Chair Hunter noted that this matter would be held over to the next
open meeting.**

**V. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON THE
MINNESOTA DEMOCRATIC-FARMER-LABOR PARTY (MNDFL) (A09-08)**

**Memorandum from the Audit Division dated
August 2, 2012**

Agenda Document No. 12-64

**Chair Hunter noted that this matter would be held over to the next
open meeting.**

VI. CANDIDATE AND COMMITTEE VIEWER DEMONSTRATION

**The FEC Disclosure Portal now has new navigation
tools for real-time viewing of candidates and committees.
Additionally, the FEC has added new customizable RSS
features in this new suite of research tools.**

**Chair Hunter noted that this matter would be held over to the next
open meeting.**

VII. MANAGEMENT AND ADMINISTRATIVE MATTERS

**There being no further business to come before the Commission,
the meeting adjourned at 11:14 A.M.**

Signed:

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

Attest:

**Shawn Woodhead Werth
Secretary and Clerk of the Commission**