



**APPROVED AUGUST 2, 2023**

**MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION  
WEDNESDAY, APRIL 19, 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**

**Ellen L. Weintraub, Commissioner**

**Alec Palmer, Staff Director**

**Lisa Stevenson, Acting General Counsel**

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

**Vicktoria J. Allen, Deputy Secretary<sup>2</sup>**

**Maureen Benitz, Program Management Analyst<sup>3</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 Secretary Vicktoria Allen was the recording secretary for the meeting.

<sup>3</sup> Program Management Analyst Maureen Benitz moderated the meeting.

**Chair Dara Lindenbaum called the Federal Election Commission to order in an open meeting at 10:34 A.M. on Wednesday, April 19, 2023 with a quorum present.**

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**Chair Lindenbaum congratulated all staff at the Federal Election Commission for receiving the most improved small agency award from the Partnership for Public Service.**

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**Chair Lindenbaum then recognized Vice Chairman Cooksey who**

**MOVED that the Commission consider “Press Office Acknowledgement of Complaints” and that the Commission determine, pursuant to 11 C.F.R. § 2.7(d)(1), that business so requires, and no earlier public announcement was possible.**

**FURTHER MOVED to suspend the rules on the timely submission of agenda documents in order that the Commission may consider the late submission of Agenda Documents No. 23-07-A and 23-08-A.**

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

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**I. DRAFT ADVISORY OPINION 2023-01**

**U.S. Representative Nanette Diaz Barragán by  
Brian Svoboda, Esq. and Antionette Fuoto, Esq.**

**Agenda Document No. 23-07-A (Draft A)  
(Submitted Late)**

**Chair Lindenbaum recognized Mr. Brian Svoboda and Ms. Antionette Fuoto who appeared on behalf of the requestor. Chair Lindenbaum then recognized Ms. Sarah Peck of the General Counsel's Office who presented the matter.**

**The request asks whether Representative Barragán, as Chair of the Congressional Hispanic Caucus (CHC), may use campaign funds to pay the travel expenses for certain individuals to attend official Caucus events, in particular, for CHC members and other individuals who will serve as speakers or headliners at the official events and for staff facilitating those events. The draft concludes that the proposed use of campaign funds for these travel expenses is permissible under the Act and Commission regulations because the expenses are ordinary and necessary expenses incurred in connection with the requestor's duties as a federal officeholder. Concerning the request, the Commission received a letter from U.S. Representative Brian Steil, Chairman of the U.S. House Administrative Committee, a response to the letter from the requestor, and then a second letter from Representative Steil responding to the requestor's response. The letters are available on the Commission's website.**

**Mr. Svoboda on behalf of the requestor and Ms. Peck and Mr. Neven Stipanovic of the General Counsel's Office participated in the discussion that followed.**

**Chair Lindenbaum recognized Vice Chairman Cooksey who**

**MOVED to approve Agenda Document No. 23-07-A,  
which is Draft A.**

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

**II. AUDIT DIVISION RECOMMENDATION MEMORANDUM ON LATINOS FOR AMERICA FIRST (A21-12)**

**Memorandum to the Commission dated March 1, 2023**

**Agenda Document No. 23-04-A**

**(Held over from the meeting of March 30, 2023)**

**This matter was held over to a future meeting.**

**III. MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMISSION AND DEPARTMENT OF JUSTICE AND ACCOMPANYING FEDERAL REGISTER NOTICE**

**Memorandum to the Commission dated April 14, 2023**

**Agenda Document No. 23-08-A  
(Submitted Late)**

**Chair Lindenbaum made opening remarks regarding the Memorandum of Understanding (MOU) and acknowledged the FEC staff who worked on the**

**update. Chair Lindenbaum then recognized Mr. Charles Kitcher of the General Counsel's Office who presented the matter and participated in the discussion that followed.**

**Commissioner Trainor offered prepared remarks regarding the MOU and asked, without objection, for unanimous consent to have his remarks entered into the record.<sup>4</sup>**

**Discussion continued.**

**Chair Lindenbaum recognized Vice Chairman Cooksey who**

**MOVED to approve Agenda Document No. 23-08-A.**

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

**IV. PRESS OFFICE ACKNOWLEDGEMENT OF COMPLAINTS**

**Memorandum from Commissioner Allen Dickerson  
dated April 10, 2023**

**Agenda Document No. 23-06-A1**

**Chair Lindenbaum recognized Commissioner Dickerson who presented the memorandum.**

**Mr. Larry Calvert of the General Counsel's Office participated in the discussion that followed.**

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<sup>4</sup> Commissioner Trainor's remarks are attached in full at the end of these minutes.

**Chair Lindenbaum recognized Commissioner Dickerson who**

**MOVED to direct the Press Office to decline to confirm or deny the filing of any complaints in response to future inquiries.**

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

**V. AUDIT PROCESS FOR COMMITTEES THAT DO NOT RECEIVE PUBLIC FUNDS**

**The matter was held over to a future meeting.**

**VI. MANAGEMENT AND ADMINISTRATIVE MATTERS**

**There being no further business to come before the Commission, the meeting adjourned at 11:36 A.M.**

**Signed:**



**Dara Lindenbaum  
Chair of the Commission**

**Attest:**

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