



**AGENDA DOCUMENT NO. 06-09**  
**APPROVED MARCH 9, 2006**

**MINUTES OF AN OPEN MEETING**  
**OF THE**  
**FEDERAL ELECTION COMMISSION**  
**THURSDAY, FEBRUARY 23, 2006**

**PRESENT:**

**Michael E. Toner, Chairman, presiding**  
**Robert D. Lenhard, Vice Chairman**  
**David M. Mason, Commissioner**  
**Hans A. von Spakovsky, Commissioner**  
**Steven T. Walther, Commissioner**  
**Ellen L. Weintraub, Commissioner**  
**Robert J. Costa, Acting Staff Director**  
**Lawrence H. Norton, General Counsel**  
**Mary W. Dove, Secretary**

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**Chairman Michael E. Toner called the Federal Election Commission to order in an open meeting at 10:08 A.M. on Thursday, February 23, 2006, with a quorum present.**

**I. CORRECTION AND APPROVAL OF MINUTES**

**Minutes for February 9, 2006  
Agenda Document No. 06-06**

**Chairman Toner recognized Vice Chairman Lenhard, who**

**MOVED to approve the minutes for the Open Meeting of Thursday, February 9, 2006, as submitted in Agenda Document No. 06-06.**

**The motion carried on the vote of 6-0 with Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther, and Weintraub voting affirmatively.**

**II. FINAL RULES AND EXPLANATION AND JUSTIFICATION FOR THE DEFINITIONS OF "TO SOLICIT" AND "TO DIRECT" (11 CFR 300.2(m) and (n))**

**Agenda Documents No. 06-08-A and No. 06-08-B**

**Chairman Toner recognized Vice Chairman Lenhard, who**

**MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Documents No. 06-08-A and No. 06-08-B.**

**The motion carried on the vote of 6-0.**

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II. **FINAL RULES AND EXPLANATION AND JUSTIFICATION FOR  
THE DEFINITIONS OF "TO SOLICIT" AND "TO DIRECT" (11 CFR  
300.2(m) and (n))**

(continued)

Chairman Toner reviewed the proposed final regulations in Agenda Document No. 06-08-A which were submitted jointly with Commissioners Mason and von Spakovsky.

After the Chairman's presentation, Vice Chairman Lenhard introduced Agenda Document No. 06-08-B which was co-authored with Commissioners Walther and Weintraub.

A discussion followed.

Chairman Toner recognized Commissioner Mason, who

**MOVED to approve the proposed final regulations set forth in Agenda Document No. 06-08-A.**

**The motion failed by a vote of 3-3 with Commissioners Mason, Toner, and von Spakovsky voting affirmatively. Commissioners Lenhard, Walther, and Weintraub dissented.**

**II. FINAL RULES AND EXPLANATION AND JUSTIFICATION FOR  
THE DEFINITIONS OF "TO SOLICIT" AND "TO DIRECT" (11 CFR  
300.2(m) and (n))**

**(continued)**

**Chairman Toner recognized Vice Chairman Lenhard, who**

**MOVED to approve the proposed final  
regulations as presented in Agenda  
Document No. 06-08-B.**

**The motion failed by a vote of 3-3 with Commissioners Lenhard,  
Walther, and Weintraub voting affirmatively. Commissioners Mason,  
Toner, and von Spakovsky dissented.**

**Chairman Toner announced the schedule for the remaining  
revised regulations to implement the Bipartisan Campaign**

**Reform Act:**

**March 9 – continuation of "To Solicit" and "To Direct";**

**March 16 – Internet;**

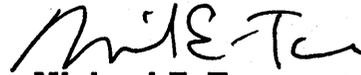
**March 30 – Coordinated Communications.**

**III. ROUTINE ADMINISTRATIVE MATTERS**

**There were no routine administrative matters to come before the  
Commission.**

**The meeting adjourned at 11:35 A.M.**

**Signed:**



**Michael E. Toner  
Chairman of the Commission**

**Attest:**



**Mary W. Dove  
Secretary of the Commission**

