



**AGENDA DOCUMENT NO. 06-09**

**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.**

**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.**

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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 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**

