



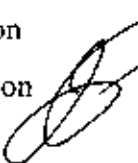
FEDERAL ELECTION COMMISSION  
Washington, DC 20463

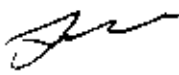
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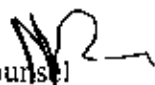
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MEMORANDUM


**TO:** The Commission

**THROUGH:** James A. Pehrkon   
Staff Director

**FROM:** Lawrence H. Norton   
General Counsel

N. Bradley Litchfield   
Associate General Counsel

Rosemary C. Smith  
Assistant General Counsel

Cheryl A. Fowle   
Attorney

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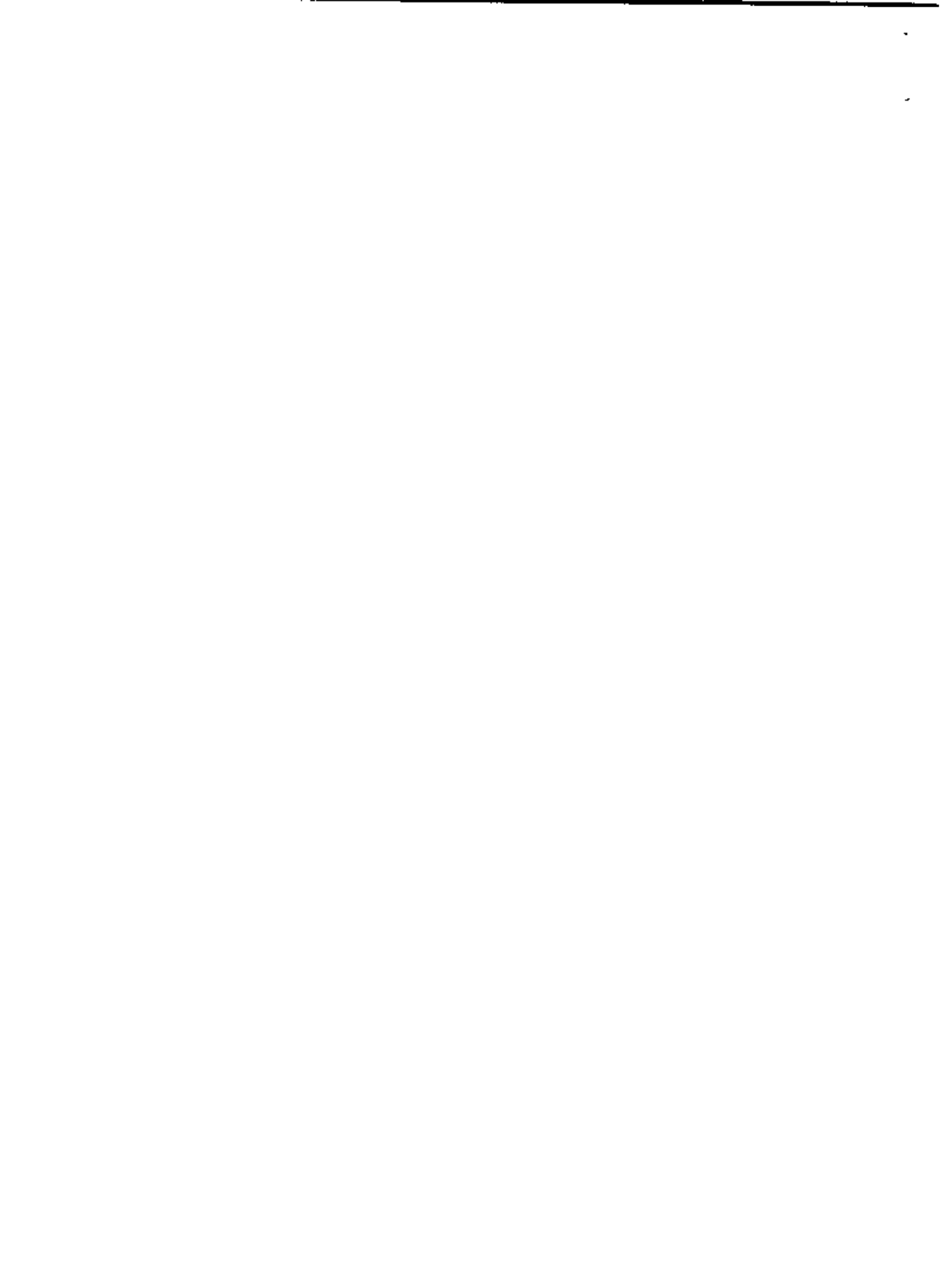
**AGENDA ITEM**  
For Meeting of: 2-28-02

**SUBMITTED LATE**

**SUBJECT:** Final Rules and Explanation and Justification on Independent Expenditure Reporting: Alternative Republication Statement

At the request of the Chairman's office, the Office of General Counsel is circulating the attached document regarding the republication of campaign materials. This alternative to Agenda Document 02-15 would remove from FEC Form 5 and Schedule E the certification that the expenditure being reported was not a republication of campaign materials.

OGC is circulating this document to facilitate the Commission's discussion and consideration of the final rule proposals. OGC makes no recommendation with respect to its approval or rejection by the Commission.



1           **The following changes to the final rules are intended to remove the**  
2 **certification as to the republication of campaign materials from FEC Form 5 and**  
3 **Schedule E.**  
4  
5

6  
7     **1.     Replace page 19, line 16 through page 20, line 2 with the following:**  
8

9           The Commission has decided to remove the “republication statement” from FEC  
10 Form 5 and Schedule E, and not to include it in revised 11 CFR 109.2. A statement  
11 regarding republication of candidate materials is not specifically mentioned in  
12 2 U.S.C. §§ 434(b)(6)(B)(iii) or (c)(2). Corresponding changes will be made to FEC  
13 Form 5 and Schedule E.

14     **2.     On page 27, replace lines 1 through 3 with the following:**

15     10.    Section 109.2 is amended by revising the introductory text in paragraphs (a) and  
16           (a)(1), by revising paragraphs (a)(1)(v), (a)(2), and (b), and adding new  
17           paragraphs (c) to read as follows:

18     **3.     On page 27, delete lines 16 through 19 and add “and” on line 15 after “thereof;”.**

19     **4.     On page 28, in lines 12 and 15, replace “paragraphs (a)(1)(v) and (a)(1)(vi)” with**  
20           **“paragraph (a)(1)(v)”.**  
21  
22

