

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, MAY 16, 2002

PRESENT: David M. Mason, Chairman, presiding
Karl J. Sandstrom, Vice Chairman
Danny L. McDonald, Commissioner
Bradley A. Smith, Commissioner
Michael E. Toner, Commissioner
James A. Pehrkon, Staff Director
Lawrence H. Norton, General Counsel
Mary W. Dove, Secretary

Chairman David M. Mason called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, May 16, 2002, with a quorum present.

I. FINAL AUDIT REPORT - PHILADELPHIA 2000

Agenda Documents No. 02-38
and No. 02-38-A

(Commissioner Toner recused himself with respect to this matter and was not present during the discussion.)

Chairman Mason recognized Vice Chairman Sandstrom, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 02-38-A.

The motion carried on the vote of 4-0 with Commissioners Mason, McDonald, Sandstrom, and Smith voting affirmatively.

I. FINAL AUDIT REPORT - PHILADELPHIA 2000
(continued)

Chairman Mason recognized Ms. Kimberly Hart of the General Counsel's Office who presented an overview of the memorandum to the Commission from the General Counsel, as set forth in Agenda Document No. 02-38-A. A discussion followed.

The Chairman recognized Vice Chairman Sandstrom, who

MOVED to take the following actions in Agenda Document No. 02-38-A:

1. Not consider Philadelphia 2000 Host Committee response submitted on May 14, 2002.
2. Approve the appropriate letter notifying the Committee.

The motion carried on the vote of 4-0 with Commissioners Mason, McDonald, Sandstrom, and Smith voting affirmatively.

I. FINAL AUDIT REPORT - PHILADELPHIA 2000
(continued)

There was a discussion of the final audit report on Philadelphia 2000, and Mr. Thomas Nurthen of the Audit Division and Mr. Gregory Baker of the General Counsel's Office responded to questions and comments.

Chairman Mason recognized Commissioner Smith, who

MOVED to approve those portions of the audit report pertaining to payments received by CNN LP LLLP.

The motion failed by a vote of 2-2 with Commissioners McDonald and Sandstrom voting affirmatively. Commissioners Mason and Smith dissented.

I. FINAL AUDIT REPORT - PHILADELPHIA 2000
(continued)

The Chairman recognized Commissioner Smith,
who

MOVED to approve the final audit
report for Philadelphia 2000, as
submitted in Agenda Document No.
02-38, subject to an amendment
that a majority of the Commission
did not agree to the finding which
pertains to CNN LP LLLP.

The motion carried on the vote of 4-0 with
Commissioners Mason, McDonald, Sandstrom, and Smith
voting affirmatively.

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The meeting recessed at 11:00 A.M. and
reconvened at 11:15 A.M. with a quorum present.

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II. FINAL AUDIT REPORT - BAUER FOR PRESIDENT
2000, INC.

Agenda Document No. 02-37

Chairman Mason recognized the following staff: Ms. Brenda Wheeler, Mr. Thomas Nurthen, and Mr. Joseph Stoltz of the Audit Division, and Mr. Gregory Baker of the General Counsel's Office.

Following discussion, it was agreed without objection that this matter would be continued at the next open meeting.

III. DRAFT ADVISORY OPINION 2002-06

Green Party of California by
Michael S. Wyman, Treasurer

Agenda Document No. 02-39

Chairman Mason recognized Mr. Michael Marinelli of the General Counsel's Office who presented draft Advisory Opinion 2002-06 concerning the status of the Green Party of California as a State committee of a political party under the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations.

The Chairman recognized Vice Chairman Sandstrom, who

MOVED to approve draft Advisory
Opinion 2002-06, as submitted in
Agenda Document No. 02-39.

The motion carried on the vote of 5-0 with
Commissioners Mason, McDonald, Sandstrom, Smith, and
Toner voting affirmatively.

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The Commission extended best wishes to Associate General Counsel N. Bradley Litchfield who was retiring after twenty-seven years of service.

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IV. ROUTINE ADMINISTRATIVE MATTERS

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

The meeting adjourned at 12:20 P.M.

Signed:

David M. Mason
Chairman of the Commission

Attest:

Mary W. Dove
Secretary of the Commission