

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, JANUARY 16, 2003

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

Chair Ellen L. Weintraub called the Federal Election Commission to order in an open meeting at 10:11 A.M. on Thursday, January 16, 2003, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

- A. Minutes for December 12, 2002
Agenda Document No. 03-01
- B. Minutes for December 18, 2002
and its continuation on
December 19, 2002
Agenda Document No. 03-02

Chair Weintraub recognized Vice Chairman Smith,
who

MOVED to approve the minutes
for the open meetings of
December 12, 2002, and
December 18 and 19, 2002, as
submitted in Agenda Documents
No. 03-01 and No. 03-02,
respectively.

The motion carried on the vote of 6-0 with
Commissioners Mason, McDonald, Smith, Thomas, Toner, and
Weintraub voting affirmatively.

II. DRAFT ADVISORY OPINION 2002-14

Libertarian National Committee, Inc.
by counsel, William W. Hall

Agenda Documents No. 03-03
and No. 03-03-A

Chair Weintraub recognized Mr. Jonathan Levin of the General Counsel's Office who presented draft Advisory Opinion 2002-14 concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), the Bipartisan Campaign Reform Act of 2002 ("BCRA"), and Commission regulations to activities of the Libertarian National Committee (LNC) that entail the sale or lease of committee assets to others.

A discussion followed.

Chair Weintraub recognized Vice Chairman Smith, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 03-03-A.

The motion carried on the vote of 6-0.

II. DRAFT ADVISORY OPINION 2002-14
(continued)

Chair Weintraub recognized General Counsel Norton who requested a brief recess so that staff could review Agenda Document No. 03-03-A, the alternative draft submitted by the Chair.

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The meeting recessed at 10:30 A.M. and reconvened at 10:50 A.M. with a quorum present.

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II. DRAFT ADVISORY OPINION 2002-14
(continued)

Further deliberations were held regarding the draft Advisory Opinion and the alternative draft.

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There was a second recess at 11:50 A.M., and the meeting reconvened at 12:35 P.M. with a quorum present.

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II. DRAFT ADVISORY OPINION 2002-14
(continued)

The discussion resumed.

Chair Weintraub recognized Commissioner
Mason, who

MOVED to instruct the Office of
General Counsel to prepare a
draft Advisory Opinion pursuant
to the meeting discussion and
to circulate the draft on a tally
vote basis.

The motion carried on the vote of 6-0.

III. ROUTINE ADMINISTRATIVE MATTERS

Chair Weintraub recognized Vice Chairman Smith,
who

MOVED to suspend the rules on
the timely submission of agenda
documents in order to consider
Agenda Documents No. 03-05 and
No. 03-06.

The motion carried on the vote of 6-0.

III. ROUTINE ADMINISTRATIVE MATTERS
(continued)

A. Rulemaking Calendar
Agenda Document No. 03-05

Following discussion, Chair Weintraub
recognized Commissioner Toner, who

MOVED to approve the proposed
Rulemaking Calendar, as set
forth in Agenda Document
No. 03-05.

The motion carried on the vote of 6-0.

B. Commission Meeting Dates
Agenda Document No. 03-06

Chair Weintraub recognized Vice Chairman
Smith, who

MOVED to approve the revised
Commission Meeting Dates, as
submitted in Agenda Document
No. 03-06.

The motion carried on the vote of 6-0.

III. ROUTINE ADMINISTRATIVE MATTERS

(continued)

There were no additional matters to come
before the Commission.

The meeting adjourned at 12:45 P.M.

Signed:

Ellen L. Weintraub
Chair

Attest:

Mary W. Dove
Secretary of the Commission

