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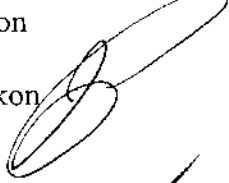
MEMORANDUM


AGENDA ITEM


For Meeting of: 08-28-03


SUBMITTED LATE

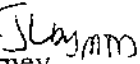
TO: The Commission

THROUGH: James A. Pehrkon 
Staff Director

FROM: Lawrence H. Norton 
General Counsel

Rosemary C. Smith 
Acting Associate General Counsel

Mai T. Dinh 
Acting Assistant General Counsel

Jonny Levin 
Senior Attorney

AUG 27 2003

SUBJECT: Amendments to Draft NPRM on Party Committee Phone Banks

As the result of the Regulations Committee meeting on Tuesday, August 26, 2003, the Office of General Counsel drafted the attached document which includes amendments to the Agenda Document No. 03-67.

Amendments to Agenda Document No. 03-67

1. On page 5, lines 2-3, delete "proposes establishing a bright line rule requiring fifty percent of the" and add in its place "seeks comment on two alternative approaches described below regarding".
2. On page 5, line 6, delete "50%" and add "in proposed paragraph (b)" after "attribution rule".
3. On page 6, line 15, delete "paragraph (b) of new"; delete the comma; and add "(b) includes two alternatives that" after "106.8".
4. On page 6, line 16, delete "It" and add in its place "Alternative A".
5. On page 6, line 19, add the following after the period:

Alternative B would provide that 100 percent of the disbursement must be attributed to the presidential and vice presidential nominees. The Commission seeks comment on which of these two alternatives is preferable, or on whether the percentage should be based on the actual space or time used to refer to the presidential nominee or some other factor.
6. On page 7, line 1, delete "in the amount of fifty percent of the cost".
7. On page 7, line 3-4, delete ", in that amount".
8. On page 7, line 7, delete "allocable".
9. On page 8, line 1, add "under alternative A," after the comma.
10. On page 8, line 4, add "Similarly, under Alternative B, the entire amount must be paid for with Federal funds." after the period.
11. On page 8, lines 10 – 15, delete the two full sentences starting at "The Commission also seeks comment" and ending at "bank to that candidate?"
12. On page 8, lines 19, add the following after the period:

Finally, the Commission seeks comment on whether proposed 11 CFR 106.8 should apply to candidates for the Senate and the House of Representatives as well as presidential candidates.
13. On page 11, line 1, add "Alternative A".

14. On page 11, line 8, add the following:

Alternative B

(b) Attribution. The entire amount of each expenditure for the phone bank described in paragraph (a) of this section (including an in-kind contribution, independent expenditure, and coordinated expenditure) shall be attributed to the presidential and vice presidential nominees.