

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, JANUARY 15, 2004

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

Chairman Bradley A. Smith called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, January 15, 2004, with a quorum present.

I. RULEMAKING PRIORITIES

Agenda Document No. 04-05

Chairman Smith recognized Vice Chair Weintraub, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 04-05.

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

The Chairman recognized Ms. Rosemary Smith of the Office of General Counsel who presented an overview of the proposed Top Priority Projects for 2004.

A discussion followed.

I. RULEMAKING PRIORITIES (continued)

Chairman Smith recognized Commissioner Toner,

who

MOVED to amend Top Priority Project
No. 1. (527 Organizations and Political
Committee Status), to set the date of
February 18 (Wednesday) as the date for
consideration of the Notice of Proposed
Rulemaking; hold a public hearing on
March 24 (Wednesday); and completion
of the final rules on April 15 (Thursday),
2004.

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The meeting recessed at 11:35 A.M. and reconvened
at 11:50 A.M. with a quorum present.

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I. RULEMAKING PRIORITIES (continued)

The discussion resumed.

I. RULEMAKING PRIORITIES (continued)

There was a vote on the pending motion, which failed by a vote of 3-3 with Commissioners Mason, Smith, and Toner voting affirmatively. Commissioners McDonald, Thomas, and Weintraub dissented.

Chairman Smith recognized Commissioner Toner,
who

MOVED to amend Top Priority Project No. 1. (527 Organizations and Political Committee Status), to set the date of March 31 (Wednesday) to hold a public hearing, and completion of the final rules on April 15 (Thursday), 2004.

The discussion resumed.

The motion failed by a vote of 3-3 with Commissioners Mason, Smith, and Toner voting affirmatively. Commissioners McDonald, Thomas, and Weintraub dissented.

I. RULEMAKING PRIORITIES (continued)

Chairman Smith proposed an amendment to Top Priority Project No. 1, and on his behalf, Vice Chair Weintraub was recognized, who

MOVED to amend Top Priority Project No. 1. (527 Organizations and Political Committee status), to set the date of May 6 (Thursday), 2004 for completion of the final rules.

There was further discussion.

The motion failed by a vote of 3-3 with Commissioners Mason, Smith, and Toner voting affirmatively. Commissioners McDonald, Thomas, and Weintraub dissented.

The Chair recognized Commissioner Thomas,
who

MOVED to approve the Rulemaking Priorities, as submitted in Agenda Document No. 04-05, subject to the amendment in Top Priority Project No. 1. (527 Organizations and Political Committee Status), to set the date of May 13 (Thursday), 2004 as the target date for completion of the final rules.

I. RULEMAKING PRIORITIES (continued)

Chairman Smith recognized Commissioner
McDonald, who

MOVED IN A SUBSTITUTE MOTION to
approve the Rulemaking Priorities,
as submitted in Agenda Document
No. 04-05.

The substitute motion failed by a vote of
2-3 with Commissioners McDonald and Thomas voting
affirmatively. Commissioners Mason, Toner, and
Weintraub dissented. Commissioner Smith abstained.

The vote was taken on the main motion,
which carried by the vote of 4-2 with Commissioners
Mason, Smith, Thomas, and Toner voting affirmatively.
Commissioners McDonald and Weintraub dissented.

II. ROUTINE ADMINISTRATIVE MATTERS

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

The meeting adjourned at 12:35 P.M.

Signed:

Bradley A. Smith
Chairman of the Commission

Attest:

Mary W. Dove
Secretary of the Commission