



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

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MEMORANDUM

**AGENDA ITEM**  
For Meeting of: 8-1-02

TO: The Commission

THROUGH: James A. Pehrkon *JAP*  
Staff Director

FROM: Lawrence H. Norton *LHN*  
General Counsel

Rosemary C. Smith *RCS*  
Acting Associate General Counsel

Mai Dinh *MD*  
Acting Assistant General Counsel

Michael Marinelli *MM*  
Staff Attorney

SUBJECT: Proposed amendment to Agenda Document No. 02-52 (Advisory Opinion 2002-08)

**SUBMITTED LATE**

The Office of General Counsel proposes an amendment to Agenda document No. 02-52 (AOR 2002-08). In order to provide better guidance to the requestor, the draft should state the re-deposit of funds from the State Exploratory committee's account to the Federal Committee Account must be made within 10 days of the requestor's receipt of the Advisory Opinion. The amendment would start on page 3, line 17 and include a new footnote. The paragraph in which the change would appear would read as follows:

Viewing these factors together, the Commission concludes that because the \$700,500 effectively remained Federal funds at all relevant times, they may be re-deposited into the Federal committee's account without violating 11 CFR 110.3(d). This re-deposit should be reported on the next report filed by the Federal Committee. The re-deposit should be made within 10 days of your receipt of this opinion. Cf. 11 CFR

**103.3(a)<sup>1</sup> The Federal Committee should also include a memo entry in the report, consistent with the conclusions of this opinion, explaining the circumstances of the re-deposit.**

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<sup>1</sup> Under 11 CFR 103.3(a), all receipts by a political committee shall be deposited in the political committee's account within 10 days of the treasurer's receipt of the funds.