

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
United States Representative) AO 2003-38 (Alternative Drafts)
Eliot Engel by counsel,) Agenda Documents No. 04-12 and
Cassandra Lentchner) No. 04-12-A

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission open meeting on February 5, 2004, do hereby certify that the Commission failed by a vote of 3-3 to pass a motion to approve Alternative A of draft Advisory Opinion 2003-38, as set forth in Agenda Document No. 04-12.

Commissioners Mason, Smith, and Toner voted affirmatively for the motion. Commissioners McDonald, Thomas, and Weintraub dissented.

Attest:

February 5, 2004
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission