



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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2004 FEB -6 A 8:51

February 5, 2004

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Cassandra F. Lentchner, Esq.  
Perkins Coie, LLP  
607 Fourteenth St., N.W.  
Washington, D.C. 20005

Re: AOR 2003-38

Dear Ms. Lentchner:

This refers to your letter dated December 5, 2003, requesting an advisory opinion on behalf of United States Representative Eliot Engel, concerning the application of the Federal Election Campaign Act of 1971, as amended, and Commission regulations to the raising and spending of funds for reapportionment-related activities in his home state of New York.

Enclosed are Agenda Documents #04-12 and #04-12-A, which the Commission considered on February 5, 2004. On February 5, the Commission failed to approve Draft A of Agenda Document #04-12 by a vote of 3-3. The Commission did not vote on Draft B of Agenda Document #04-12 or on Agenda Document #04-12-A. No other motions were voted upon.

Accordingly, pursuant to Commission regulations at 11 CFR 112.4(a), you are hereby advised that with this letter the Commission has concluded its consideration of Advisory Opinion Request 2003-38.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence H. Norton".

Lawrence H. Norton  
General Counsel

Enclosures