

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Bush-Cheney '04, Inc. and Alice ) AO 2004-01  
Forgy Kerr for Congress by ) Agenda Documents No. 04-08,  
Benjamin L. Ginsberg and ) No. 04-08-A, No. 04-08-B,  
Thomas J. Josefiak ) and No. 04-08-C

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission open meeting on January 29, 2004, do hereby certify that the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to pass a motion to revise Agenda Document No. 04-08, with regard to disclaimers, to state the Commission has made no decision regarding ads run prior to January 19, 2004.

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

2. Decided by a vote of 6-0 to approve Agenda Document No. 04-08, subject to the following amendments:

- a) Page 5, delete Lines 11 through 15, beginning with the word "Moreover" on Line 11;

(continued)

- b) Page 10, Line 21, include the cite  
11 CFR 110.11(c)(1);
- c) Include the amendment in Agenda  
Document No. 04-08-A, as amended to  
incorporate technical amendments, as  
necessary;
- d) Include the amendments in Agenda  
Document No. 04-08-B.

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

Attest:

January 30, 2004  
Date

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