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March 24, 2005

VIA FAX ONLY

CLOSED

TO: Susan Lebeaux

FROM: Steven S. Lucas

RE: Mirage Resorts Inc.; MUR 5020

CLOSED

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2005 MAR 25 A 8:41

As outside counsel to MGM MIRAGE and Mirage Resorts Inc., I wanted to confirm for you in writing that a memorandum has been sent to all executive and administrative personnel, and their individually assigned administrative/clerical support persons, of MGM MIRAGE and its subsidiary corporations and other subsidiary entities (including Mirage Resorts and the Bellagio).

The memorandum contains the educational items and admonitions outlined in the attachment.

Please call me should you have any questions. Susan, it was a pleasure working with you to resolve this matter – your professionalism and courteousness were noted and appreciated by me.

SSL/slf

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Attachment

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ATTACHMENT

Corporations are prohibited from making campaign contributions in connection with federal elections. This includes providing money or "anything of value" to a federal candidate or federal campaign committee in connection with an election for federal office.

Contributions may, however, be made from political action committees (or PACs) established by corporations, such as the MGM MIRAGE PAC.

Importantly, corporations (including officers, executives and employees acting on behalf of the corporation) are also prohibited from "facilitating the making of contributions" to federal candidates and federal campaign committees (other than to the federal PAC of the corporation). "Facilitation" means "using corporate . . . resources or facilities to engage in fundraising activities in connection with any Federal election." 11 C.F.R. §§ 114.2(f)(1)-(2). Facilitation includes:

- Directing staff to plan, organize, or carry out a federal candidate/committee fundraising project as part of their work responsibilities using corporate resources, unless the corporation receives advance payment for the fair market value of such services;
- Using a corporate list of customers, clients, vendors or others who are not in the restricted class to solicit contributions or distribute invitations to the fundraiser;
- Providing catering services or hotel rooms operated by the corporation unless the corporation receives advance payment for the fair market value of the services;
- Using corporate resources to provide materials for the purpose of transmitting or delivering contributions, such as stamps, envelopes or other similar items; and
- Collecting contributions from others and delivering them to a federal candidate or committee (other than to/from the corporation's federal PAC).

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