



AGENDA DOCUMENT NO. 05-15

**MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION**

THURSDAY, MARCH 10, 2005

PRESENT:

Scott E. Thomas, Chairman, presiding

Michael E. Toner, Vice Chairman

David M. Mason, Commissioner

Danny L. McDonald, Commissioner

Ellen L. Weintraub, Commissioner

**Robert J. Costa, Deputy Staff Director
for Audit and Review, representing
James A. Pehrkon, Staff Director**

Lawrence H. Norton, General Counsel

Mary W. Dove, Secretary

Chairman Scott E. Thomas called the Federal Election Commission to order in an open meeting at 10:20 A.M. on Thursday, March 10, 2005, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for February 14, 2005
Agenda Document No. 05-10**

Chairman Thomas recognized Vice Chairman Toner, who

MOVED to approve the minutes for the Open Meeting of Monday, February 14, 2005, as submitted in Agenda Document No. 05-10.

The motion carried on the vote of 5-0 with Commissioners Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.

II. DRAFT ADVISORY OPINION 2005-01

**Mississippi Band of Choctaw Indians, by counsel
C. Bryant Rogers**

Agenda Document No. 05-11

The Chairman recognized Mr. Michael Marinelli of the General Counsel's Office who presented Drafts A and B of Advisory Opinion 2005-01 regarding the possible Federal contractor status of the Mississippi Band of Choctaw Indians ("the Tribe"), a Federally recognized Indian

II. **DRAFT ADVISORY OPINION 2005-01** (continued)

tribe, under the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations.

A discussion followed.

It was agreed without objection to return Agenda Document No. 05-11 to the General Counsel's Office and to circulate Draft B on a 24-hour tally vote basis.

III. **LEGISLATIVE RECOMMENDATIONS 2005**

Agenda Document No. 05-14

The Legislative Recommendations for 2005 were held over to the meeting of March 24, 2005.

IV. **FINAL RULES AND EXPLANATION AND JUSTIFICATION ON POLITICAL PARTY COMMITTEES DONATING FUNDS TO CERTAIN TAX-EXEMPT ORGANIZATIONS AND POLITICAL ORGANIZATIONS**

Agenda Document No. 05-12

Chairman Thomas recognized Mr. Albert Kiss of the General Counsel's Office who presented the subject draft.

The Chairman recognized Vice Chairman Toner, who

MOVED to approve the Final Rules and Explanation and Justification, as set forth in Agenda Document No. 05-12, for publication in the *Federal Register* and transmittal to Congress.

**IV. FINAL RULES AND EXPLANATION AND JUSTIFICATION ON
POLITICAL PARTY COMMITTEES DONATING FUNDS TO CERTAIN
TAX-EXEMPT ORGANIZATIONS AND POLITICAL ORGANIZATIONS**
(continued)

The motion carried on the vote of 5-0 with Commissioners

Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.

**V. FINAL RULES AND EXPLANATION AND JUSTIFICATION ON
FILING DOCUMENTS BY PRIORITY MAIL, EXPRESS MAIL, AND
OVERNIGHT DELIVERY SERVICE**

Agenda Document No. 05-13

Chairman Thomas recognized Ms. Esa Sferra of the General

Counsel's Office who reviewed the final rules pertaining to filing

documents by priority mail, express mail, and overnight delivery service.

The Chairman recognized Commissioner Weintraub, who

**MOVED to approve the Final Rules and Explanation
and Justification, as set forth in Agenda Document
No. 05-13, for publication in the *Federal Register*
and transmittal to Congress.**

The motion carried on the vote of 5-0 with Commissioners

Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.

VI. ROUTINE ADMINISTRATIVE MATTERS

**There were no routine administrative matters to come before the
Commission.**

The meeting adjourned at 11:10 A.M.

Signed:

**Scott E. Thomas
Chairman of the Commission**

Attest:

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

