



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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2005 MAY -5 A 9:45

**AGENDA ITEM**  
For Meeting of: 5-05-05

**SUBMITTED LATE**

**MEMORANDUM**

**DATE:** May 5, 2005  
**TO:** The Commission  
**FROM:** Vice Chairman Michael E. Toner *MT*  
**RE:** Advisory Opinion 2005-04

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Attached please find a proposed amendment to Agenda Document No. 05-23 that I plan to offer at the Commission's Open Session on May 5, 2005.

**Page 3, lines 15-21:** Delete paragraph and replace as follows:

Given Mr. Roberts's obligation under the court order to make restitution payments to the Committee, the restitution amount must be reported as a debt owed to the Committee by Mr. Roberts until the debt is extinguished unless the court order is amended so that Mr. Roberts is required to pay restitution directly to the Foundation. An amended court order would extinguish the debt owed to the Committee and the Committee would no longer need to report the debt and receipt of the restitution payments. In the absence of a modified or amended court order, the Committee must follow the reporting requirements outlined below.

**Page 5, lines 14-19:** Delete

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