



FEDERAL ELECTION COMMISSION
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AGENDA ITEM

For Meeting of: 11-21-02

MEMORANDUM

SUBMITTED LATE

DATE: November 21, 2002

TO: The Commission

FROM: Commissioner Michael E. Toner *MT*

RE: Proposed Amendments to Agenda Document 02-82 Draft Final Rules and Explanation and Justification on Disclaimers, Fraudulent Solicitations, Civil Penalties and Personal Use of Campaign Funds (BCRA "Other Provisions") and Agenda Document 02-82-B BCRA "Other Provisions": Draft Final Rules and Explanation and Justification--Personal Use--Alternative Deleting the Terms "Excess Campaign Funds" and "Any Other Lawful Purpose."

Attached please find amendments that I am considering offering on November 21, 2002 to amend Agenda Documents 02-82 and 02-82-B.

Agenda Document 02-82

Page 23, line 22 through page 24, line 4 Strike

Agenda Document 02-82-B

Page 6, lines 10-11 Replace existing text with:

In addition to defraying expenses in connection with a campaign for federal office, funds in a campaign account or an account described in 11 C.F.R. 113.3:

Page 6, lines 13-18 Strike

Page 5, line 6 Insert the following:

In light of Congress deleting the phrase "in excess of any amount to defray" campaign expenses from section 439a, and the Commission's revision herein to 11 CFR 113.1 and 113.2, officeholders may spend campaign funds entirely at their discretion to defray campaign expenses and expenses incurred in connection with the recipient's duties as a holder of federal office, and that such expenses may be paid in any order, as they are incurred, without restriction.