



THE FEDERAL ELECTION COMMISSION  
Washington, DC 20463

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# AGENDA ITEM

For Meeting of: 9-12-02

2002 SEP 12 A 9 08

MEMORANDUM TO THE COMMISSION

**SUBMITTED LATE**

FROM: DAVID MASON, CHAIRMAN *DM*

SUBJECT: AMENDMENTS TO NPRM ON COORDINATED AND INDEPENDENT  
EXPENDITURES REGARDING REPUBLICATION OF CAMPAIGN MATERIALS

DATE: SEPTEMBER 12, 2002

Page 71, line 9, strike out "Thus" and insert "Under the pre-BCRA regulations at 11 CFR 109.1(d)(1).

Page 71, line 14, strike out "Under the pre-BCRA regulations at 11 CFR 109.1(d)(1), a" and insert "A".

*(These amendments simply move the reference to the pre-BCRA regulations earlier in the paragraph to clarify that the relation of non-coordinated republished campaign materials to contribution limits is a regulatory construct.)*

Page 72, after the comma at the end of line 4 insert: "(that is, whether the dissemination, distribution or republication of campaign material should be made a part of the definition of "contribution")".

Page 73, line 16, strike out "on" and all that follows through "comment" on line 18.

*(This simply clarifies the significance of the "location" question where it is raised on page 72 by moving an existing "additional" request for comment up from page 73.)*

Page 72, After the period at the end of line 7, insert:

Alternatively, given that the pre-BCRA statute and the BCRA categorize dissemination, distribution or republication of campaign materials as "expenditures" 2 USC 441a(a)(7)(B)(iii), the Commission seeks comment on whether such dissemination, distribution or republication should be consider a contribution by the person paying for the materials absent coordination with the campaign. Please note that this alternative is not included in the text of the draft regulations.

*(This seeks comment on the per se treatment of republication as a contribution.)*