

AGENDA DOCUMENT NO. 00-112

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, NOVEMBER 2, 2000

PRESENT: Darryl R. Wold, Chairman, Presiding
Danny L. McDonald, Vice Chairman
David M. Mason, Commissioner
Karl J. Sandstrom, Commissioner
Bradley A. Smith, Commissioner
Scott E. Thomas, Commissioner
James A. Pehrkon, Staff Director
Lawrence M. Noble, General Counsel
Mary W. Dove, Acting Secretary

Chairman Darryl R. Wold called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, November 2, 2000, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for October 19, 2000
Agenda Document No. 00-109

Chairman Wold recognized Vice Chairman McDonald, who

MOVED to approve the Minutes for the open meeting of Thursday, October 19, 2000, as submitted in Agenda Document No. 00-109.

The motion carried on the vote of 6-0 with Commissioners Mason, McDonald, Sandstrom, Smith, Thomas, and Wold voting affirmatively.

II. ADVISORY OPINION

Draft Advisory Opinion 2000-24
(Alternative Drafts)

Alaska Democratic Party by counsel,
Neil Reiff

Agenda Documents No. 00-110
and No. 00-110-A

Chairman Wold recognized Vice Chairman
McDonald, who

MOVED to suspend the rules on
the timely submission of agenda
documents in order to consider
Agenda Document No. 00-110-A.

The motion carried on the vote of 6-0.

Chairman Wold recognized Mr. Jonathan Levin
of the General Counsel's Office who presented the two
proposed drafts of Advisory Opinion 2000-24, concerning
the application of the Federal Election Campaign Act of
1971, as amended ("the Act"), and Commission regulations
to the allocation of Alaska Democratic Party's ("ADP")
expenditures for mixed Federal and non-Federal activities
and whether the Act would preempt a State's restrictions
on ADP with respect to allocation.

II. ADVISORY OPINION (continued)

Draft Advisory Opinion 2000-24 (continued)
(Alternative Drafts)

Chairman Wold recognized Commissioner Sandstrom who reviewed his memorandum, as contained in Agenda Document No. 00-110-A.

A discussion followed.

It was agreed without objection to hold this matter over for the next open meeting.

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The meeting recessed at 11:40 A.M. and reconvened at 11:50 A.M. with a quorum present.

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III. STATEMENTS OF REASONS--REQUESTS TO DENY
CERTIFICATION OF PUBLIC FUNDS TO
PATRICK J. BUCHANAN AND EZOLA FOSTER
(LRA#598/599)

Agenda Document No. 00-108

(Placed on the agenda pursuant to the filing of an objection by Commissioner Sandstrom following circulation on a 72 hour vote basis.)

Chairman Wold stated this matter was placed on the agenda by Commissioner Sandstrom's objection; however, he has now changed his objection to an objection for the record only. It was noted that Commissioner Mason had previously cast his vote as an objection for the record. Therefore, the amended pre-meeting tally reflected a Commission decision by a vote of 4-2 to take the following actions on Agenda Document No. 00-108:

1. Approve the draft Statements of Reasons denying the requests to deny certification of public funds to Patrick J. Buchanan and Ezola Foster.
2. Approve the appropriate letters.

Commissioners McDonald, Smith, Thomas, and Wold voted affirmatively. Commissioners Mason and Sandstrom dissented.

IV. NOTICE OF DISPOSITION OF PETITION FOR
RULEMAKING FILED BY THE PROJECT ON
GOVERNMENT OVERSIGHT

Agenda Document No. 00-106

Chairman Wold recognized Ms. Mai Dinh of the General Counsel's Office who presented an overview of the subject document.

Chairman Wold recognized Vice Chairman McDonald, who

MOVED to take the following actions on the above-captioned matter:

1. Decline to open a rulemaking in response to the Petition for Rulemaking filed on September 20, 1999, by the Project on Government Oversight.
2. Approve the Notice of Disposition for publication in the *Federal Register*, as set forth in Agenda Document No. 00-106.
3. Approve the letter to Ms. Danielle Brian, as submitted in Agenda Document No. 00-106.

The motion carried on the vote of 6-0.

V. ADMINISTRATIVE MATTERS

There were no administrative matters to
come before the Commission.

The meeting adjourned at 11:55 A.M.

Signed:

Darryl R. Wold
Chairman of the Commission

Attest:

Mary W. Dove
Acting Secretary of
the Commission

