



AGENDA DOCUMENT NO. 05-25
APPROVED JUNE 9, 2005

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, MAY 5, 2005

PRESENT:

- Scott E. Thomas, Chairman, presiding**
- Michael E. Toner, Vice Chairman**
- David M. Mason, Commissioner**
- Danny L. McDonald, Commissioner**
- Bradley A. Smith, Commissioner**
- Ellen L. Weintraub, Commissioner**
- 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 10:05 A.M. on Thursday, May 5, 2005, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

**Minutes for April 28, 2005
Agenda Document No. 05-24**

Chairman Thomas recognized Vice Chairman Toner, who

MOVED to approve the minutes for the Open Meeting of Thursday, April 28, 2005, as submitted in Agenda Document No. 05-24.

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

II. DRAFT ADVISORY OPINION 2005-04

Representative John Boehner and Friends of John Boehner by counsel, Jan Witold Baran

**Agenda Documents No. 05-23
and No. 05-23-A (Submitted late)**

The Chairman recognized Vice Chairman Toner, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 05-23-A.

II. DRAFT ADVISORY OPINION 2005-04 (continued)

The motion carried on the vote of 6-0.

Chairman Thomas recognized Mr. Michael Marinelli of the General Counsel's Office who presented draft Advisory Opinion 2005-04 regarding the assignment and reporting of the payments of a court-ordered restitution under the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations.

Chairman Thomas recognized Vice Chairman Toner who presented his proposed revisions, as set forth in Agenda Document No. 05-23-A.

A discussion followed.

The Chairman recognized Commissioner Weintraub, who

MOVED to approve draft Advisory Opinion 2005-04, as set forth in Agenda Document No. 05-23, as amended by Agenda Document No. 05-23-A.

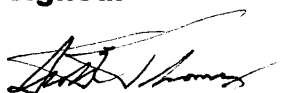
The motion carried on the vote of 6-0.

III. ROUTINE ADMINISTRATIVE MATTERS

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

The meeting adjourned at 10:15 A.M.

Signed:



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

Attest:



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