

AGENDA DOCUMENT NO. 04-19

MINUTES OF AN OPEN MEETING

OF THE

FEDERAL ELECTION COMMISSION

THURSDAY, FEBRUARY 26, 2004

PRESENT: Bradley A. Smith, Chairman, presiding
 Ellen L. Weintraub, Vice Chair
 David M. Mason, Commissioner
 Danny L. McDonald, Commissioner
 Scott E. Thomas, Commissioner
 Michael E. Toner, Commissioner
 James A. Pehrkon, Staff Director
 James A. Kahl, Deputy General Counsel,
 representing General Counsel
 Lawrence H. Norton

 Mary W. Dove, Secretary

Chairman Bradley A. Smith called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, February 26, 2004, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for February 18, 2004
Agenda Document No. 04-18

The Chairman recognized Vice Chair Weintraub, who

MOVED to approve the minutes for the Open Meeting of Wednesday, February 18, 2004, as submitted in Agenda Document No. 04-18.

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

II. DRAFT ADVISORY OPINION 2004-02

National Committee for an Effective Congress
by counsel, Judith L. Corley

Agenda Document No. 04-17

Chairman Smith recognized Mr. John Vergelli of the General Counsel's Office who presented draft Advisory Opinion 2004-02, concerning the application of the Federal Election Campaign Act of 1971, as amended, and Commission regulations to the receipt of contributions from testamentary trusts.

There was discussion.

Without objection, the following changes were made on Page 2, Lines 12, 13, and 14, by substituting "NCEC" in place of the word "You" at the beginning of each sentence, and to make the necessary grammatical change.

II. DRAFT ADVISORY OPINION 2004-02 (continued)

The Chairman recognized Vice Chair Weintraub,

who

MOVED to approve draft Advisory
Opinion 2004-02, as submitted
in Agenda Document No. 04-17,
subject to the amendments noted
above.

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 10:14 A.M.

Signed:

Bradley A. Smith
Chairman of the Commission

Attest:

Mary W. Dove
Secretary of the Commission