



**AGENDA DOCUMENT NO. 06-01**

**MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION  
THURSDAY, DECEMBER 15, 2005**

**PRESENT:**

**Scott E. Thomas, Chairman, presiding**

**Michael E. Toner, Vice Chairman**

**David M. Mason, Commissioner**

**Danny L. McDonald, Commissioner**

**Ellen L. Weintraub, Commissioner**

**Robert J. Costa, Acting 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 10:10 A.M. on Thursday, December 15, 2005, with a quorum present.**

**I. CORRECTION AND APPROVAL OF MINUTES**

**Minutes for December 8, 2005  
Agenda Document No. 05-61**

**Chairman Thomas recognized Vice Chairman Toner, who**

**MOVED to approve the minutes  
for the Open Meeting of Thursday,  
December 8, 2005, as submitted  
in Agenda Document No. 05-61.**

**The motion carried on the vote of 5-0 with Commissioners  
Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**II. MERIT AND SERVICE AWARDS**

**Chairman Thomas, assisted by Acting Staff Director Costa,  
presented the following service awards:**

**TEN YEAR SERVICE AWARDS**

**Thomas J. Andersen, OGC  
Edward F. Bouling IV, ITD  
Donald E. Campbell, OGC  
Aaron R. Coles, ITD  
Lisa R. Evans Davis, OCS  
Veneshe Ferebee Vines, OCS  
Terrance J. O'Brien, Audit**

**II. MERIT AND SERVICE AWARDS (continued)**

**TWENTY YEAR SERVICE AWARDS**

**Kim Collins, OGC**

**Frances H. Glendening, Commissioner McDonald's  
Executive Assistant**

**Cynthia E. Myers, OGC**

**THIRTY YEAR SERVICE AWARDS**

**Robert J. Costa, Acting Staff Director**

**Eldon Craig Crooks, RAD**

**Joseph F. Stoltz, Audit**

**Betty S. Woo, Chairman Thomas' Special Assistant**

**The Thirty Year Service Award for Chairman Thomas was  
presented by Vice Chairman Toner.**

**At the conclusion of the presentations, Chairman Thomas  
reviewed the accomplishments of the Federal Election Commission in  
2005.**

**III. ELECTION OF OFFICERS**

**A. Election of Chairman**

**Chairman Thomas recognized Commissioner Weintraub, who**

**MOVED to elect Vice Chairman Michael E. Toner  
to serve as Chairman of the Federal Election  
Commission beginning January 1, 2006.**

**The motion carried on the vote of 5-0 with Commissioners  
Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**III. ELECTION OF OFFICERS (continued)**

**B. Election of Vice Chairman**

**The Chairman recognized Commissioner Mason, who**

**MOVED to elect Commissioner McDonald to  
serve as Vice Chairman of the Federal Election  
Commission beginning January 1, 2006.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**IV. FUTURE MEETING DATES**

**Agenda Document No. 05-64 (Submitted late)**

**Chairman Thomas recognized Vice Chairman Toner, who**

**MOVED to suspend the rules on the timely  
submission of agenda documents in order  
to consider Agenda Document No. 05-64.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**The Chairman recognized Vice Chairman Toner, who**

**MOVED to approve the future meeting  
dates, as set forth in Agenda Document  
No. 05-64.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**V. DRAFT FINAL RULES AND EXPLANATION AND JUSTIFICATION FOR ELECTIONEERING COMMUNICATIONS**

**Agenda Document No. 05-62 (Submitted late)**

**Chairman Thomas recognized Vice Chairman Toner, who**

**MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 05-62.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**The Chairman recognized Mr. Duane Pugh of the General**

**Counsel's Office who presented the subject document. During his**

**presentation, the following amendments were presented:**

**Page 11, Line 19, insert the word "can" before "fall."**

**Pages 14-15, delete the first sentence of the paragraph which begins on Page 14 at Line 22 and replace with the following sentence: "First, removing the 'for a fee' requirement from the definition of 'publicly distributed' only affects the small number of communications that qualify as electioneering communications and that are publicly distributed without charge."**

**Page 15, Line 5, delete the words "advertising for."**

**Chairman Thomas recognized Vice Chairman Toner, who**

**MOVED to approve the draft Final Rules with Explanation and Justification for Electioneering Communications (11 CFR 100.29), as set forth**

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**V. DRAFT FINAL RULES AND EXPLANATION AND JUSTIFICATION  
FOR ELECTIONEERING COMMUNICATIONS (continued)**

**in Agenda Document No. 05-62, subject to the  
amendments noted above.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**VI. DRAFT FINAL RULES AND EXPLANATION AND JUSTIFICATION  
OF EXTENSION OF ADMINISTRATIVE FINES PROGRAM**

**Agenda Document No. 05-63 (Submitted late)**

**Chairman Thomas recognized Vice Chairman Toner, who**

**MOVED to suspend the rules on the timely  
submission of agenda documents in order  
to consider Agenda Document No. 05-63.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**The Chairman recognized Ms. Margaret Perl of the General  
Counsel's Office who presented the subject document.**

**Chairman Thomas recognized Commissioner Weintraub, who**

**MOVED to approve the draft Final Rules  
and Explanation and Justification of Extension  
of Administrative Fines Program, as set forth  
in Agenda Document No. 05-63.**

**The motion carried on the vote of 5-0 with Commissioners**

**Mason, McDonald, Thomas, Toner, and Weintraub voting affirmatively.**

**VII. ROUTINE ADMINISTRATIVE MATTERS**

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

**The meeting adjourned at 10:30 A.M.**

**Signed:**

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

**Attest:**

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

