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FEDERAL ELECTION COMMISSION  
Washington, DC 20463

April 23, 2003

**MEMORANDUM**

**AGENDA ITEM**  
For Meeting of: 04-24-03  
**SUBMITTED LATE**

**TO:** The Commission

**THROUGH:** James A. Pehrkon *JAP*  
Staff Director

**FROM:** Lawrence H. Norton *LHN*  
General Counsel

James A. Kahl *JK*  
Deputy General Counsel

Rosemary C. Smith *RCS*  
Acting Associate General Counsel

John C. Vergelli *JCV*  
Acting Assistant General Counsel

Albert J. Kiss *AK*  
Attorney

**SUBJECT:** Amendment to Draft AO 2003-04

The Office of General Counsel presents the following possible amendment to AO 2003-04. It is derived from a comment submitted by the requestor.

Add the following two sentences after the first sentence ending on page 4.

Freeport's plan meets this requirement because each contributor to the PAC will be given written notice that he or she cannot receive any tangible benefit from the charitable entity in exchange for the matching

(over)

contribution. Also, at the time of making the matching contribution, Freeport will advise the charitable entity in writing that the contributor cannot receive any tangible benefit in exchange for the contribution.