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1101 CONNECTICUT AVENUE, N.W.
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GEORGE D. BAKER
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SALLY B. PFUND
DAVID A. STARR
MARY LYNNE WHALEN
J. D. WILLIAMS

TELEPHONE
(202) 659-8201
TELECOPIER
(202) 659-5249
OF COUNSEL
BARNABY ZALL

July 11, 1990

Office of the General Counsel
Federal Election Commission
Sixth Floor
999 E Street, N.W.
Washington, D.C. 20463

*Requestor Comment
to AOR 1990-10*

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Re: AOR 1990-10, Submitted on behalf of Texas Air Corporation PAC

Dear Sirs:

The Draft Opinion of the Office of the General Counsel in response to AOR 1990-10 finds that the subject political action committees are affiliated for purposes of the FECA even though the managements of the two corporate sponsors are entirely distinct. In view of this proposed response, the Texas Air Corporation PAC ("TACPAC"), respectfully submits the following two points:

1. TACPAC requests an opportunity to submit further evidence regarding the complete separation of the managements of the two subject corporations prior to issuance of an advisory opinion that would find the two subject PACs to continue to be affiliated. If further information on the activities of the involved parties, the progress of the bankruptcy proceedings, or the status of the ownership interests would be helpful, TACPAC would appreciate an opportunity to submit such information.
2. If an unreserved opinion indicating disaffiliation is not possible at this time, TACPAC requests the issuance of an opinion recognizing that the PACs are disaffiliated at least for the time being, permitting the two PACs to be subject to separate contribution limits until such time as the trustee position in the Eastern Airlines bankruptcy proceedings is terminated.

TACPAC respectfully notes for the record that a holding that TACPAC and the Eastern Airlines PAC are affiliated effectively

results in the disenfranchisement of the employees of the two corporations from corporate PAC participation. In the current absence of cooperation and coordination between the two PACs and the two companies' managements, the PACs can participate in federal election campaigns only at the peril of violating the Federal Election Campaign Act and incurring the penalties therefor.

Your attention to these matters is much appreciated.

Sincerely,



Carolyn F. Bigda

cc: Chairman Lee Ann Elliott
Vice Chairman John Warren McGarry
Commissioner Joan D. Aikens
Commissioner Tom J. Josefiak
Commissioner Danny Lee McDonald
Commissioner Scott E. Thomas