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FEDERAL ELECTION COMMISSION
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May 14, 1990

Federal Election Commission
Office of General Counsel
999 E. Street N.W.
Washington, DC 20463

AOR 1990-11

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

Dear Sirs:

In March of 1987, Friends of Gary Hart - 1988, Inc. ("FOGH", the "Committee") received a contribution of 50 silver belt buckles crafted by Ben Nighthorse Campbell to be used for fundraising purposes. Forty-nine of these buckles remain in FOGH's possession as of this date. The Committee has documented all transactions involving these buckles in the course of the audit process.

As a part of its winding down efforts, FOGH desires to liquidate the buckles. However, as a surplus campaign, FEC office of General Counsel informally has taken the position that FOGH does not qualify for the provisions of 11 CFR 9034.9(b) regarding the Sale of Assets acquired for fundraising purposes.

In conversation with the FEC Office of General Counsel, FOGH has developed the following plan to dispose of these buckles, and hereby requests an Advisory Opinion regarding its acceptability.

1. FOGH will obtain an appraisal of the buckles from a qualified, independent broker.
2. FOGH will donate 40 buckles to qualified charitable, non-political organizations, who will be required to use the buckles as fundraising items. FOGH will provide appropriate documentation of its donation to the FEC.
3. FOGH will donate 9 buckles to key campaign personnel.

May 14, 1990
Page 2

FOGH desires to manage its remaining assets prudently and to complete the winding down process on a timely basis, while complying with the requirements of Federal Election Law. FOGH also desires to use a portion of its excess funds for charitable purposes as soon as possible. The Advisory Opinion we are requesting will assist in meeting these objectives.

Sincerely,


Stephen D. Alfors
Treasurer

SDA:meb