

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Gordon M. Strauss on behalf ) Advisory Opinion 1990-19  
of the Suarez Corporation ) Agenda Documents #90-103,  
 ) #90-103-A

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission Open Meeting on November 14, 1990, do hereby certify that the Commission decided by a vote of 5-1 to approve Advisory Opinion 1990-19, as submitted in Agenda Document #90-103, subject to the following amendments discussed at the meeting:

1. Page 1, line 25-1/2, add a footnote along the lines of:

The Commission notes that this opinion only addresses the prospective activity of Suarez, i.e., forming a contract with the Committee for the sale of campaign fundraising items. This opinion does not reach any issues concerning the underlying debts and obligations for campaign services previously provided by Suarez to the Committee. Those issues relate only to past conduct rather than to prospective activity. The advisory opinion process contemplates only future proposed transactions or activity that is already underway and may continue in the future, 11 C.F.R. § 112.1(b). This advisory opinion also does not deal with any matters relating to the Committee as they are not part of this request.

(continued)

2. Page 6, line 22, delete the sentence beginning with "In order, and ending with, customers, and substitute therefor the following:

Based upon the facts presented this request, if Suarez offers the proposed plan to non-political customers and makes this plan available to such customers on a basis equal with that of its political customers, the Commission will view this plan to be in compliance with the Act.

Commissioners Aikens, Elliott, Josefiak, McGarry and Thomas voted affirmatively for the decision. Commissioner McDonald dissented.

Attest:

November 17, 1990  
Date

Hilda Arnold  
Hilda Arnold  
Administrative Assistant