

LaRocco

CONGRESS

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P O Box 1553, Boise, Idaho 83701

March 11, 1992

General Counsel
Federal Election Commission
999 -E- Street, N.W.
Washington, D.C. 20463

Dear Sir:

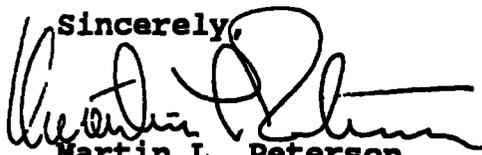
This letter is written on behalf of LaRocco for Congress regarding the application of the Federal Election Campaign Act and Federal Election Commission regulations to the lease of a van by LaRocco for Congress.

LaRocco for Congress is the principal (and sole) campaign committee of U.S. Representative Larry LaRocco.

LaRocco for Congress proposes to lease a van to be used by Congressman LaRocco for travel within his district relating to his re-election. LaRocco for Congress plans to enter into a long-term lease (three years) on the van with a commercial bank. The monthly payments under the lease will be made by LaRocco for Congress during the campaign until the election in November. After the election, Congressman LaRocco proposes to make the lease payments to the bank personally. At the end of the lease the van will become the property of the Congressman.

The question raised is whether such an arrangement, made under normal business practices, is permissible under the Federal election laws and regulations.?

Sincerely,



Martin L. Peterson
Campaign Manager

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FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

March 24, 1992

**Martin L. Peterson, Campaign Manager
LaRocco for Congress
P.O. Box 1553
Boise, Idaho 83701**

Dear Mr. Peterson:

This refers to your letter dated March 11, 1992, concerning the application of the Federal Election Campaign Act of 1971, as amended, to the lease of a van by your campaign committee.

You state LaRocco for Congress (the "Committee"), the principal campaign committee of U.S. Representative Larry LaRocco, wishes to lease a van to be used by Congressman LaRocco for travel within his district relating to his re-election. The Committee plans to enter into a three year lease for the van with a commercial bank. You explain that the monthly payments under the lease will be made by the Committee during the campaign until the election in November. After the election, you state that Congressman LaRocco proposes to make the lease payments to the bank personally. At the end of the lease, the van will become the property of the Congressman.

The Act authorizes the Commission to issue an advisory opinion in response to a "complete written request" from any person with respect to a specific transaction or activity by the requesting person. 2 U.S.C. §437f(a). Commission regulations explain that such a request "shall include a complete description of all facts relevant to the specific transaction or activity with respect to which the request is made." 11 CFR 112.1(c).

Preliminarily, it is unclear from your letter that your committee is formally requesting an advisory opinion from the Commission. If, however, you are requesting an opinion, additional information is necessary.

- 1. Who will be named as the person liable on the bank note financing the lease- Congressman LaRocco or the Committee?**

Martin L. Peterson
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2. Please describe in detail the uses to which the van will be put during the period when the Committee will be paying the lease. Will the candidate make any personal use of the van during this period? If so, describe the kinds of uses and what percentage of the time will the van be used for the Congressman's personal business. Does he intend to reimburse the Committee for such use?
3. Finally, state whether the vehicle will be used for any campaign related purposes after the Congressman assumes responsibility for the lease in November. For example, if the Congressman is re-elected, will the van be used for any 1994 election- related purposes?

After you provide this Office with the above information, this Office and the Commission will give further consideration to your inquiry as an advisory opinion request. If you have any questions concerning the advisory opinion process or this letter, please contact the undersigned.

Sincerely,

Lawrence M. Noble
General Counsel

BY: N. Bradley Litchfield
N. Bradley Litchfield
Associate General Counsel *by*

OGC 4508

LaRocco

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CONGRESS

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P O Box 1553, Boise, Idaho 83701

March 25, 1992

Mr. N. Bradley Litchfield
Associate General Counsel
Federal Election Commission
999 -E- Street, N.W.
Washington, D.C. 20463

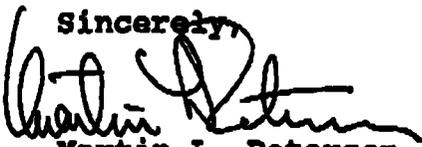
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Dear Mr. Litchfield:

AOR 1992-12

In response to your letter, I am requesting an advisory opinion and providing the following information:

1. LaRocco for Congress will be named as the person liable for the bank note financing the lease.
2. The van will be used primarily for campaign use, i.e. transporting the Congressman and members of his campaign staff throughout the First District of Idaho. On occasion, when the Congressman is neither on official business nor on campaign business, he may use the van for personal business. On those occasions, the Congressman would re-imburse LaRocco for Congress.
3. After the Congressman assumes responsibility for the lease in November, no campaign use is contemplated.

Sincerely,

Martin L. Peterson
Campaign Manager

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