



AMERICAN
SPEECH LANGUAGE
HEARING
ASSOCIATION

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May 27, 1992

The Honorable Joan D Aikens
Chairman
Federal Election Commission
999 E Street, NW
Washington, DC 20463

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FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

AOR 1992-20

Dear Chairman Aikens

I am writing to request an advisory opinion by the Federal Election Commission concerning the American Speech-Language-Hearing Association's (ASHA) proposal to accept and deposit contributions made by corporations to its separate segregated fund, the American Speech-Language-Hearing Association Political Action Committee (ASHA-PAC), to defray administration expenses of that separate segregated fund

ASHA, a professional association, is the connected organization of ASHA-PAC. The Association's membership consists of approximately 64,000 individual members, who are speech-language pathologists and audiologists, and most of who work in hospitals and school settings. Seven percent of these members have independent practices. In accordance with the Federal Election Campaign Act, the Association only solicits its members. Individuals who are certified by, but are not members of, the Association, and international affiliate members are not solicited. Although each solicitation includes the statement, "ASHA-PAC cannot accept corporate checks," occasionally (approximately 10-15 incidences per year) a member who owns or is employed by an incorporated practice will make a contribution to the ASHA-PAC via a check drawn on that practice.

In the past, because the Federal Election Campaign Act prohibits corporations from making any contribution or expenditure in connection with a Federal election, ASHA has returned such checks to the contributors. However, ASHA-PAC staff became aware of the Commission's Advisory Opinion 1982-61 concerning the Association of Trial Lawyers of America (ATLA) and its political action committee (ACCT), which permits connected organizations to accept corporate contributions to their separate segregated funds for the purpose of defraying administrative expenses of those separate segregated funds assuming that the contributions are deposited into a separate administrative account. A subsequent Advisory Opinion (AO 1991-23) states, "Corporate members of an incorporated trade association who meet the definition of "membership" under the Act and regulations may contribute funds or merchandise to defray solicitation expenses of the trade association's separate segregated fund."

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Our request for an advisory opinion is to clarify 1) whether ASHA members may make contributions to ASHA-PAC with checks drawn on their independent practices if such checks are deposited in ASHA's general treasury funds, and recorded in a separate administrative account, for the purpose of defraying the association's expenses in operating ASHA-PAC?, and 2) whether these checks, written to "ASHA-PAC" and not "ASHA," may be recorded in such an administrative account for administrative purposes if the checks are endorsed to ASHA on the backs of the checks? Should the Commission find both activities to be acceptable, the Association would inform such contributors of the handling of their contributions and be given the opportunity of having their checks returned

I look forward to receiving the Commission's opinion on this matter. If you should need any additional information, please contact Roger Kingsley or Kathy Thompson at the ASHA Governmental Affairs Department office (301-897-5700)

Sincerely,



Frederick T Spahr, Ph D
Treasurer

FEC Identification Number
C00210666