

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
LAW OFFICES

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

**BAGATELOS & FADEN**  
MAY 19 4 01 PM '94  
THE INTERNATIONAL BUILDING  
601 CALIFORNIA STREET  
SUITE 1801  
SAN FRANCISCO, CALIFORNIA 94108

MAY 19 4 16 PM '94  
TELEPHONE  
(415) 982-7100  
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(415) 982-1088

BARRY FADEN  
PETER A. BAGATELOS

May 19, 1994

Mr. Michael Marinelli  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Supplement To  
AOR 1994-13

Re: AOR 1994-13

Dear Mr. Marinelli:

This will confirm our telephone conversation on May 9, 1994. You asked for clarification regarding question 2 on page 2 of my April 20, 1994 letter requesting an advisory opinion. Specifically, you wish to know who would pay for the exhortation encouraging viewers generically to vote on election day which might be included at the end of each video slate. You wanted to know if this would be part of the package paid for by each participating client or whether the funds for this would be paid for by VEP or some other source.

This will clarify the VEP intends to make this a part of the package it sells to each client. In other words, the payment made by each participating client would cover both the portion of the video slate attributed to identifying the particular candidate and/or measure, a description of the preferred voting position, identification of the applicable election on which the candidate and/or measure will appear, and an exhortation to the voters to vote on that particular election day. I have enclosed herewith a sample invoice form that VEP proposes to use in connection with this commercial venture. There is a note in the invoice that specifies what is being purchased by the client. This invoice would constitute written confirmation of the contract between the purchaser and VEP.

You also had asked if VEP, which also distributes slate mailers, ordinarily would include reference to a particular election and exhortation for persons to vote at that election. After checking, I have found that this is routinely done not only by VEP on its past slate mailers, but also by virtually every other slate mailer organization in California. Listing of the particular candidates, without reference to a particular election, would be somewhat incongruous. The listing of specific candidates and/or measures certainly must relate to a particular election. The reminder to vote also is part of the total message intended to be conveyed by the slate, i.e. that the viewer is encouraged to vote for the listed candidate or measure at a particular election.



# Voter Education Project

4041 MacArthur Boulevard, Suite 190  
Newport Beach, CA 92660  
I.D. #589002

## INVOICE

### A. Client Information:

1. Name: \_\_\_\_\_
2. Address: \_\_\_\_\_  
\_\_\_\_\_
3. I.D. No. (if committee): \_\_\_\_\_
4. Telephone: \_\_\_\_\_
5. Description of state position: \_\_\_\_\_  
\_\_\_\_\_

\*NOTE: Each slate will include a description of your state position, reference to the applicable election date, and a reminder for the viewer to remember to vote on election day.

6. Client Approval: By \_\_\_\_\_ Date \_\_\_\_\_

### B. Taxfighters Voting Guide Slate Mailer

Space reservation.....\$ \_\_\_\_\_

### C. Taxfighters Television Slate/30 CNN Spots

Space reservation.....\$ \_\_\_\_\_

D. **TOTAL DUE (B+C)**.....\$ \_\_\_\_\_

*Please make your check payable to:*

**"Voter Education Project"**

*(See reverse side for disclosure guidelines)*

## California Campaign Reporting Disclosure Guidelines

1.  **Voter Education Project (VEP) is a California Corporation organized for profit which sells cooperative advertising to and on behalf of candidates and ballot measures. VEP is registered as a state mailer organization (SMO) with the Secretary of State's office and files periodic political reports of its receipts and expenditures related to Section B only on the reverse side hereof, as required by Political Reform Act (PRA). Our SMO I.D. number is 589002. VEP is not a recipient committee.**
  
2.  **Campaign committees which file as either major donors or recipient committees may be required to disclose payments made related to both Sections B and C on the reverse side hereof as political expenditures pursuant to the PRA.**
  
3.  **Persons or entities which are not recipient committees or major donors may become independent expenditure committees under the PRA, with reporting obligations, if payment of \$1,000 or more is made related to Sections B and/or C on the reverse side hereof and if such payment is not otherwise an in-kind contribution to or for another candidate or measure committee.**
  
4.  **For further information regarding filing duties, contact your legal advisor, or the Technical Assistance Division of the Fair Political Practices Commission at (916) 322-5662.**