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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN 29 1 21 PM '95

June 29, 1995

AGENDA ITEM

MEMORANDUM TO: The Commission

For Meeting of: 6-29-95

THROUGH: John C. Surina
Staff Director

late

FROM: Lawrence M. Noble
General Counsel

N. Bradley Litchfield
Associate General Counsel

Jonathan M. Levin
Senior Attorney

SUBJECT: OGC revision to Draft AO 1995-15

Attached is a proposed revision to the subject opinion, as discussed this morning, which pertains to the issue of giving notice to contributors that candidate designations may not total in excess of the \$5,000 per candidate, per election limit applicable to Allison PAC.

This revision would be a footnote on page 11, and only that page (with the footnote) is attached for Commission approval this afternoon. The entire draft opinion also needs final Commission approval.

Attachment

3 weeks or months after the designation.

4 Assuming Allison PAC wishes to send the funds to
5 designated committees in October of each year, it may still
6 operate its plan subject to modification as to when the
7 employee actually makes the designation. The PAC may send a
8 solicitation requesting the approval by the employee of a
9 monthly payroll deduction in a certain amount or the pledge
10 of a check in a certain amount. That solicitation would also
11 inform the employee that the opportunity for designating
12 candidate recipients, and the amounts they each should
13 receive, would occur during a certain ten day window of time,
14 specified in the solicitation, in the following October, and
15 that the PAC would disburse the funds according to the
16 designation instructions at the end of that period.^{6/} Since
17 the PAC also wishes to provide an opportunity for
18 non-designation, and the disbursement by the PAC of
19 non-designated funds for political uses it determines, the
20 solicitation would permit the employee to denote a percentage
21

22
23 ^{6/} The solicitation should also inform the employee that
24 the amounts designated for candidates will be treated as
25 contributions from Allison PAC, as well as from the
26 individual employee, and that the PAC will be subject to the
27 \$5,000 per election limit on contributions by a
28 multicandidate committee to a particular candidate. The
29 solicitation, therefore, should also note the possibility
30 that all or part of the amount designated by an individual
for a particular candidate will not be sent to that candidate
and should also explain other options for the PAC's use of
the funds. After the designations are made, and the funds
sent by the PAC, the PAC should send a notice to the
individual employee informing him or her as to the amount of
contributions attributed to the employee with respect to each
candidate.