



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

ALFRED K. WHITEHEAD
General President

VINCENT J. BOLLON
General Secretary-Treasurer

April 23, 1996

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

AOR 1996-18

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RE: Advisory Opinion on Conduit Accounts

I am writing to seek an Advisory Opinion from the Federal Election Commission on the subject of individuals who initially make personal contributions to a Wisconsin conduit account, subsequently authorizing the conduit account to make contributions to the parent organization's separate segregated fund (SSF).

Specifically, our organization, the International Association of Fire Fighters has a separate segregated fund (C00029447) that is registered with the Federal Election Commission. Our state association affiliate in Wisconsin has recently opened a "Conduit Account" that is permissible under Wisconsin state election law. This conduit account is not the one as defined under 11 CFR Section 110.6(b)(2). Under Wisconsin law, organizations are allowed to establish conduit accounts for the purpose of raising voluntary personal contributions and making contributions to non-federal candidates within the state of Wisconsin.

Under Wisconsin State Election Law, conduit accounts are only allowed to accept personal, voluntary contributions. This provision in the state law is similar to how the FEC governs contributions made to SSFs. The conduit account in question has predetermined to voluntarily restrict its solicitation efforts to its membership and not accept contributions from what the FEC would identify as outside their restricted class, even though this is permissible under the Wisconsin state election law.

Under the Wisconsin election law governing conduit accounts, the individual who makes a contribution to a conduit account actually determines how the contribution is disbursed. This means that once the contribution is deposited into the conduit account, the conduit account cannot disburse it without the written authorization of the person who made the initial contribution.



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The question that we would like to have the Federal Election Commission address and provide an Advisory Opinion on is whether an individual, who makes a personal, voluntary contribution to our Wisconsin's affiliate conduit account can subsequently provide written authorization to the conduit account and authorize it to make a contribution to our separate segregated fund in that individual's name?


For example, member "A" makes a personal contribution of \$100 to the conduit account. Then member "A" provides written authorization to the conduit account authorizing it to make a \$50 contribution in their name to the parent organizations SSF and a \$50 contribution to non-federal candidate "X". Under this scenario, we believe that the conduit account would be acting as a transmittal account and therefore follow the FEC guidelines that govern transmittal accounts.

I must reiterate that the scenario outlined above is limited to individuals who are both members of our state affiliate in Wisconsin as well as to our International, and therefore are considered part of our restricted class under federal election law.

Should the Commission have any questions that it needs clarified, or would like additional information, please direct your inquiries to David B. Billy, the IAFF Political Action Assistant.

Thank you for your prompt consideration of this Advisory Opinion request.

Sincerely,


Vincent J. Bollon, Treasurer
IAFF FIREPAC