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January 27, 1997

AOR 1997-01

Mr. N. Bradley Litchfield
Associate General Counsel
Federal Election Commission
Washington, D. C. 20463

Re: Request of Former U.S. Representative Tom Bevill for
Advisory Opinion regarding Donation of Campaign Funds to
The Bevill Foundation, Inc.

Dear Mr. Litchfield:

Mr. Bevill forwarded to me for response your August 13, 1996 letter requesting additional information on the proposed donation of his campaign funds to The Bevill Foundation ("BF"). If you will recall, Mr. Bevill, who retires from the U.S. Congress this month, desires to establish BF as a charitable foundation into which the remaining cash balance of his campaign fund account would be deposited. His intent is that BF will make grants solely to various educational, charitable, literary, scientific and religious organizations. BF funds will not be used to influence any Federal election.

BF will not employ and compensate any person who is now a member of Mr. Bevill's Congressional staff. One individual, an accountant in private practice in Birmingham who is not a member of Mr. Bevill's family, will provide accounting services from time to time to BF for compensation at his standard rates. He will receive no other form of compensation from BF. This individual, Mr. O. H. Brown, has served as treasurer in Mr. Bevill's more recent campaigns. No other campaign volunteers will receive any form of compensation from BF. BF will have as its governing body a Board of Directors, consisting of Mr. Bevill, Lou Bevill, his wife, and Susan B. Livingston, his daughter. We will not be compensated for our services provided to BF. I am donating legal services to BF, at no charge. Neither Mr. Bevill nor any member of his family will be employed by or receive any compensation from BF.

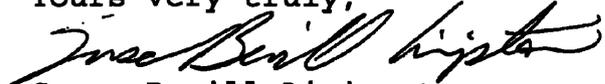
BF has not yet sought written recognition from the IRS that it has qualified as an organization described in 26 U.S.C. §170(c).

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If there is any further information needed in order to render an advisory opinion on this proposed use of Mr. Bevill's campaign funds, please contact me, and I will furnish such information. We will not finalize the proposed transactions until Mr. Bevill has received the Commission's advisory opinion.

Yours very truly,


Susan Bevill Livingston

cc: Mr. Tom Bevill
Mr. Alex Leath