



CITY OF BETTENDORF

1609 STATE STREET • BETTENDORF, IOWA 52722-4937 • (319) 344-4000

March 4, 2002

AOR 2002-05

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
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Federal Election Commission
Office of General Counsel
999 E. Street, N.W.
Washington, D.C. 20463

RE: AOR

Dear Sir or Madame:

I am Gregory S. Jager, City Attorney for the City of Bettendorf, Iowa. The Mayor, Ann Hutchinson, is running for the U.S. House of Representatives. In discussion with FEC Staff, I was advised to seek an AOR on this issue:

Each year, a delegation of elected officials, City department heads, and various businessmen from Bettendorf, Iowa, Davenport, Iowa, Rock Island, Illinois and Moline, Illinois (the Quad Cities), fly to Washington, D.C. to meet with elected officials and bring them up to speed on issues of concern in the Quad City Area. This delegation is usually 20-30 people.

Mayor Hutchinson has been asked to be a part of this delegation. While in D.C., she would also go to the DNCC (Democratic National Campaign Committee) to consult on her campaign.

Under City Policy, an employee or elected official can take "extra" time at a conference or other business trip for personal business, so long as the costs of the extra time are borne solely by individual, not by the City. Thus, the Mayor's taking an extra day for personal business would otherwise be within City Policy.

I am, however, aware of 11CFR106. Under that section, if the Mayor were going to lobby in Des Moines, and also campaign, the cost of the trip would be reportable as an in-kind donation to the campaign. 11CFR106.3(d), however, would indicate that a trip to Washington, D.C. is not reportable.

March 4, 2002
Letter to Federal Election Commission
Re: Mayor Hutchinson - D.C. Trip

Page -2-

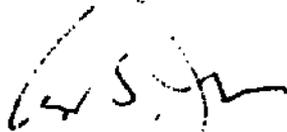
By the time an opinion could issue, I believe the Mayor will already have taken the trip to D.C. We have agreed, however, that if the AOR indicates that the airline ticket is reportable, that she will reimburse the cost plus interest, as she does not want to use taxpayer funds to further her campaign.

If the exemption of 11CFR106.3(d) applies, she would not violate City Regulations so long as any costs associated with the "extra" time spend in D.C. is paid for by her exclusively.

I can be reached at (563) 344-4004, if you need more information.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "G.S. Jager", enclosed within a faint, hand-drawn oval.

Gregory S. Jager
City Attorney

GSI:srh