



June 17, 2004

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

AOR 2004-27

2004 JUN 22 10:21

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Re: Advisory Opinion Request

Dear Commissioners:

On behalf of the Quayle 2000 Committee, I hereby request an advisory opinion from the Federal Election Commission pursuant to 2 U.S.C. § 437f. Specifically, Quayle 2000 would like to pay two former employees back pay for time that they volunteered to the committee and asks whether this is permitted.

#### FACTS

Quayle 2000, Inc. was the authorized campaign committee of former Vice President Dan Quayle, candidate for the Republican Party's 2000 nomination for the office of President of the United States. The Committee registered with the Federal Election Commission on February 3, 1999, and is in existence now for the sole purpose of winding down the activities of the campaign. I am the Committee's treasurer.

The Committee's mandatory audit conducted pursuant to the Presidential Primary Matching Payment Account Act is complete and no repayment of federal matching funds to the United States Treasury is required. As of March 31, 2004, the Committee reported cash-on-hand of \$36,054.38.

In the course of the wind down, it has come to my attention that, in order to preserve funds, two campaign employees volunteered their services during a period in which the campaign was low on funds. Specifically, rather than be paid a salary, each employee volunteered his services for the period of March 1 through March 31, 1999. During this time frame the first individual would have been paid \$6,250. Our records show that instead of being paid this amount, the individual was paid only \$4,125, leaving a discrepancy of \$2,125 in volunteer services. Quayle 2000 would now like to issue a check to this individual in the amount of \$2,125 in recognition of the fact that, but for the fact that he volunteered his services, he would have been received this additional amount of money as compensation. In addition, a second employee volunteered \$5,666.66 of his personal services during this same time frame for which he received no subsequent payment. Again, Quayle

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2000 now wishes to compensate this individual for these services with its wind down funds.

Quayle 2000 has not reported these amounts as debts since the individuals volunteered their services to the campaign, something explicitly permitted in 11 C.F.R. §100.74 (formerly 11 C.F.R. § 100.7(b)(3)).<sup>1</sup> However, the salaries of these individuals would have been qualified campaign expenses at the time they were incurred pursuant to 11 C.F.R. § 9002.11. Thus, since the campaign's audit is complete, and it has wind down funds remaining, the Committee would like to provide what would have been compensation to these individuals. We hereby request permission to do so.

Sincerely,

A handwritten signature in black ink, appearing to read "William R. Neale". The signature is written in a cursive style with a large, sweeping initial "W".

William R. Neale  
Treasurer

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<sup>1</sup> A copy of the Statement of Volunteer Services contemporaneously signed by these two individuals is attached.

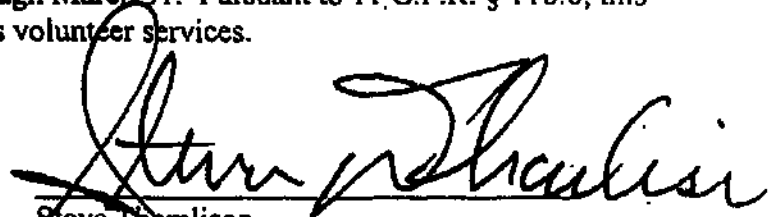
## STATEMENT OF VOLUNTEER SERVICES

I, John McConnell, have decided to forego payment of \$5,666.66 in salary for the pay period running March 1 through March 31. Pursuant to 11 C.F.R. § 116.6, this unpaid amount should be treated as volunteer services.

  
\_\_\_\_\_  
John McConnell

**STATEMENT OF VOLUNTEER SERVICES**

I, Steve Thomlison, have decided to forego payment of \$5,250 in salary for the pay periods covering March 1 through March 31. Pursuant to 11 C.F.R. § 116.6, this unpaid amount should be treated as volunteer services.

  
Steve Thomlison



**FAX COVER PAGE**

**DATE:** July 13, 2004

**Pages Including This Page:** 3

**FROM:** William R. Neale

**Direct Dial:** (317) 238-6209  
**Email:** wneale@kdlegal.com

<b>TO:</b>	Margaret Pearl
<b>COMPANY:</b>	Federal Election Commission
<b>FAX NO.:</b>	(202) 219-3923

**SUBJECT:** Quayle 2000

**COMMENTS:** Employment Agreement Forms for John P. McConnell and Steven Thomlison

**cc:**

**HARD COPY:**

WILL BE SENT BY REGULAR MAIL  
 WILL BE SENT VIA OVERNIGHT COURIER  
 WILL BE SENT VIA MESSENGER  
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 OFFICE OF GENERAL  
 COUNSEL  
 2004 JUL 14 A 9 13

**NAME OF SENDER:** KJM

**CLIENT MATTER NO.:** LLC-56

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**QUAYLE 2000  
EMPLOYMENT AGREEMENT FORM**

I, John F. McConnell, have read the Quayle 2000 Policies and Procedures Manual.

I understand that I am an at-will employee and may be terminated without notice.

I understand that I have no authority to commit or incur expenses for Quayle 2000. Any expense which does not have prior approval is my own, and I will pay for it.

I understand the expense reimbursement policies for the campaign and will rigidly adhere to them.

I understand that all Quayle 2000 business is to remain confidential and not to be released to any third party or discussed outside Quayle 2000 offices.

I have completed the necessary payroll documents (Substitute Form W-4/ State Withholding, Form I-9 and I-9 documentation) and Insurance forms.

John F. McConnell  
Signature

2-10-99  
Date

**Complete this form, detach it from your policy manual and return to the Administrative Director.**

2/1/99

**QUAYLE 2000**

**EMPLOYMENT AGREEMENT FORM**

I, Steven Thomlison, have

read the Quayle 2000 Policies and Procedures Manual.


I understand that I am an at-will employee and may be terminated without notice.

I understand that I have no authority to commit or incur expenses for Quayle 2000. Any expense which does not have prior approval is my own, and I will pay for it.

I understand the expense reimbursement policies for the campaign and will rigidly adhere to them.

I understand that all Quayle 2000 business is to remain confidential and not to be released to any third party or discussed outside Quayle 2000 offices.

I have completed the necessary payroll documents (Substitute Form W-4/ State Withholding, Form I-9 and I-9 documentation) and insurance forms.

  
\_\_\_\_\_  
Signature

2-10-99  
\_\_\_\_\_  
Date

*Complete this form, detach it from your policy manual and return to the Administrative Director.*

2/1/99