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COMMISSION

23201 N.E. 47th Avenue
Ridgefield, WA 98620
November 23, 2009

OFFICE OF GENERAL
COUNSEL

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Request for Advisory Opinion

AOR 2009-29

Dear Sirs:

I am a retired employee from Contra Costa County, California. I live in the state of Washington. I am a member of and house counsel for the Retiree Support Group of Contra Costa County, which is a non-profit corporation incorporated under the laws of the State of California. We are a 501(c)(4) corporation.

The Retiree Support Group is a member organization open to any person who retired from employment from Contra Costa County and its special districts (fire etc.), and also to any surviving spouse of a retired County or Special District employee who is receiving a survivor's pension.

The Bylaws of our organization which will become effective in 2010 provide that we have a Board of Directors elected by the members that manages the business and affairs of the corporation. The Board of Directors directs the ordinary course of the business of the corporation, including the review and approval of expenditures. The Board of Directors selects the officers of the corporation from among its members of the Board. The members retain the power to approve or disapprove a specified list of major actions that the Board of Directors might take.

We are considering forming a political action committee that would be able to make political contributions in both federal and state elections. We need to know the requirements for forming such a committee. As house counsel for the Retiree Support Group, and on behalf of the Retiree Support Group, we request an advisory opinion whether the Federal Election Commission or federal law requires that the members of our organization vote to approve the formation of a political action committee, or whether our Board of Directors may form such a committee on their own initiative.

In accordance with your policy, and on behalf of the Retiree Support Group of Contra Costa County, would you please provide us with an advisory opinion on this question within sixty (60) calendar days. I may be reached by telephone at (360) 687-0346, or 360-624-3250.

Thank you for your consideration and assistance.

Very truly yours,

**L. Douglas Pipes, Esq.
House Counsel
Retiree Support Group of Contra Costa County**