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AGENDA ITEM
For Meeting of: 4-27-00

MEMORANDUM

TO: The Commission
FROM: Commissioner Karl Sandstrom
DATE: April 26, 2000
SUBJECT: AO 2000-05

SUBMITTED LATE

I am proposing alternate language that I believe will properly limit this opinion to the facts presented by the requestor while at the same time providing context, guidance and notice to the requestor on issues associated with the opinion.

This proposal would strike all of the "blue draft" from the sentence which begins with "The Nation may..." at page 2 line 14 through line 2 on page 4, and substitute a new footnote 4. For ease of discussion I am attaching my proposed language to this memo in line-numbered form.

Attachment

In the "blue draft," strike the sentence beginning with "The Nation may..." at page 2 line 14 and all after through line 2 on page 4, and substitute the below text as footnote 4:

1 As indicated in Advisory Opinion 1999-32, the Nation would more precisely fall into the
2 category of "any other organization or person." The Commission notes that as the
3 Nation is an organization that is not a "political committee" under the Act but that
4 proposes to make contributions to influence Federal elections, 11 CFR 102.5(b) appears
5 to apply. This section of the Commission's regulations contains specific procedures for
6 such organizations that make contributions from an account that may contain funds not
7 subject to the limitations and prohibitions of the Act. 11 CFR 102.5(b)(1)(ii).

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