



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MEMORANDUM

TO: THE COMMISSION
STAFF DIRECTOR
GENERAL COUNSEL
FEC PRESS OFFICE
✓FEC PUBLIC RECORDS

From: Mary W. Dove *MWD*
Acting Secretary of the Commission

DATE: December 1, 1999

SUBJECT: COMMENT: PROPOSED AO 1999-31

Transmitted herewith is a timely submitted comment by
Theodore H. Bornstein on behalf of Oshkosh Truck Corporation and OTCEPAC.

Proposed Advisory Opinion 1999-31 is on the agenda for Thursday,
December 2, 1999.

Attachment:

1 page

FOLEY & LARDNER

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December 1, 1999

VIA HAND DELIVERY
VIA FACSIMILE & U.S. MAIL

Commission Secretary
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Draft Advisory Opinion 1999-31

Dear Ms. Dove:

Thank you for transmitting the above referenced draft advisory opinion responding to the Oshkosh Truck's request for an advisory opinion. On page 6, lines 10-11 of the draft opinion there is a comment that door prizes are indistinguishable from raffles. Based on the context of that statement, it is my understanding that the Commission's comparison between door prizes and raffles is solely for purposes of interpreting the one-third rule relating to corporate contributions and is not a commentary upon any State law regulating these activities. Accordingly, we request that the Commission include in its opinion a statement that it expresses no opinion regarding State law ramifications concerning these transactions.

Thank you very much for your consideration.

Sincerely,



Theodore H. Bornstein

cc: Office of General Counsel, Federal Election Commission
Fred Fielding, Oshkosh Truck Corp.
Lynn Jones, Oshkosh Truck Corp.