



MAXINE WATERS

**MEMBER OF
CONGRESS**

**43RD DISTRICT
CALIFORNIA**

**RANKING MEMBER
OF THE
FINANCIAL SERVICES
COMMITTEE**

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July 1, 2015

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FEDERAL ELECTION COMMISSION

Federal Election Commission (FEC)
Office of the General Counsel
999 E. Street NW
Washington, D.C. 20463

Dear General Counsel:

On June 5, 2015, my staff reached out to both the House Ethics Committee and the Federal Election Commission (FEC) regarding whether it was legally permissible for Members of Congress individually, or through Political Action Committees and Campaign Committees, to contribute to candidates running for elected office in a foreign country.

In consulting with the House Ethics Committee, my staff was told that Members making personal contributions with personal funds to any campaign foreign or domestic were not under their jurisdiction and questions concerning the permissible use of campaign committees were under the FEC's jurisdiction. The FEC in turn cited §113.2 (e) of the FEC's code concerning the permissible non-campaign use of PACs which reads funds "may be used for any lawful purpose unless such use is personal use."

Given the lack of guidance and legal precedent defining "lawful purpose", I am formally requesting an advisory opinion from the FEC on whether PACs and U.S. federal officials are permitted to contribute to campaigns for elected office abroad. I am further seeking guidance from the House of Representatives General Counsel and the Department of State to determine whether there are any other limitations outside of FEC regulations governing Members and private citizens' participation in elections overseas.

Sincerely,
Maxine Waters
Maxine Waters

Re: Advisory Opinion request on behalf of Representative Waters
T'waun Samuel

to:
SWright@fec.gov
07/28/2015 03:54 PM

Cc:
"rkноп@fec.gov", "ABell@fec.gov"

Hide Details

From: T'waun Samuel <aristopolitico@gmail.com>

To: "SWright@fec.gov" <SWright@fec.gov>,

Cc: "rkноп@fec.gov" <rkноп@fec.gov>, "ABell@fec.gov" <ABell@fec.gov>

Yes. This is correct. And the country of interest is Haiti. Thank you

On Monday, July 27, 2015, <SWright@fec.gov> wrote:
Mr. Samuels,

This email is to confirm the additional information you provided by phone earlier this afternoon. Please reply (all) as soon as possible to confirm that the information is correct. Once we have received your response, the email will go on the public record as part of the advisory opinion request. Please let me know if you have any questions.

Additional Information:

1. Rep. Waters' request inquires whether it is permissible for her to contribute individually, through her authorized committee, or through her "leadership PAC" to a candidate for office in a foreign country.
2. If permissible, Rep. Waters intends to make such a contribution individually, through her authorized committee, and/or through her "leadership PAC."

Thank you,

Sean J. Wright
Federal Election Commission
Office of General Counsel - Policy
999 E. Street, NW
Washington, DC 20463