

Western Pistachio

ASSOCIATION

517 C Street, NE • Capitol Hill, DC 20002-5809 • 202-543-4455 • FAX 543-4586

March 7, 1994

Mr. N. Bradley Litchfield
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: Your Follow-up Questions

Dear Mr. Litchfield:

Supplement To
AOR 1994-01

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FEDERAL ELECTION COMMISSION

Thank you for keeping us informed as to the Commission's activities regarding our request for an Advisory Opinion.

In response to your follow-up questions, please note the following information:

- All 23 of the Associate Members pay annual dues of \$250.
- 163 of the Regular Members pay annual dues of less than \$250.
- Associate Members cannot serve on the Board of Directors.
- Associate Members can and do serve on Association committees.
- The majority of individuals who are Associate Members live outside of the six state area required for Regular Membership. Associate members support WPA because we are the only trade association dedicated solely to the promotion of the U.S. pistachio industry. Associate members benefit from services which include the information provided through the Association's magazine and the defense of their interests before the federal government. Below is a list of activities WPA has performed on the behalf of Associate Members:
 - We held our Annual Conference in Washington, D.C. in April, 1993, bringing together individuals from government and industry to discuss areas of mutual concern. The event proved to be an educational experience for all involved.
 - Association witnesses appeared before two subcommittees of the House Ways and Means Committee to present testimony on the North American Free Trade Agreement (NAFTA) and on the use of methyl bromide by the pistachio industry.

- The Association has worked closely with key congressional offices in an effort to increase the appropriation for the Market Promotion Program. The Association is also a member of the Coalition to Promote U.S. Agricultural Exports, a coalition formed to defend MPP from further congressional attacks.
- The Association is a member of the Endangered Species Coordinating Council. This organization is a coalition of over 100 members from all industries working to reform the Endangered Species Act. The Council is strongly pushing for action on the industry supported Gorton/Shelby-Tauzin/Fields bill. The Administration has not been pushing ESA reauthorization given the trouble environmental initiatives have had as of late.
- The Association joined in a lawsuit against the Environmental Protection Agency with regard to that Agency's ruling to ban the production and use of methyl bromide after the year 2001.
- The Association's Aflatoxin Subcommittee has been active in efforts to complete a draft voluntary aflatoxin program providing for committee procedures as well as sampling and testing of pistachios for aflatoxin. WPA has been working closely with the U.S. Department of Agriculture and the Food and Drug Administration in an effort to finalize this proposal.

In light of the recent questions regarding WPA membership, the Board of Directors will consider amending the bylaws to do away with the Associate Member category. The amendment, which has been attached for your review, would make all members of the Association Regular Members. The Board will discuss the amendment during its next meeting (March 7, 1994).

Again, we appreciate your thoughtful consideration of our request. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Schramm", written in a cursive style.

Robert Schramm

Current Language

SECTION 1. MEMBERS.

The Corporation shall have two (2) classes of membership, regular members and associate members.

(a) REGULAR MEMBERSHIP.

Regular membership of the Corporation shall consist of any individual, partnership, corporation or other type of business entity which is in the business of producing, processing or marketing domestic pistachios and whose residence or principle place of business is located in Arizona, California, Nevada, New Mexico, Texas, or Utah. A regular member shall serve on committees when appointed, support and participate in fund raising functions, attend all regular meetings and pay dues as determined by the Board in their sole discretion.

(b) ASSOCIATE MEMBERSHIP.

Associate membership of the Corporation shall consist of any individual, partnership, corporation or other type of business entity who is in any way associated with the production, processing or marketing of domestic pistachios or any other person who is over the age of 18, of good character and dedicated to the purposes of the Corporation.

Proposed New Language

SECTION 1. MEMBERSHIP. Membership of the Corporation shall consist of any individual, partnership, corporation, or other type of business entity which is in the business of producing, processing, or marketing domestic pistachios, or serving the pistachio industry. Members shall serve on committees when appointed, support and participate in fund raising functions, attend all regular meetings and pay dues as determined by the Board in their sole discretion.