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# FEDERAL ELECTION COMMISSION



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## FEC POLICY STATEMENT ON INDEPENDENT EXPENDITURES

WASHINGTON - SEPTEMBER 30 - Contributors to political committees making only 'independent expenditures' are subject to the same contribution limits as contributors to candidates and other political committees," the Federal Election Commission said today.

In a "Policy Statement" approved today for publication in the Federal Register, the FEC cited two rules that would apply to such contributions:

.....(1) The law's limit of contributions of \$5,000 per year to political committees would also apply to contributions to committees making only independent expenditures in support of more than one candidate

.....(2) However, contributions to political committees making only independent expenditures in support of a single candidate would be subject to the contribution limit per candidate per election of \$1,000 (\$5,000 in the case of specially defined "multi-candidate committees).

- In addition, in such cases, the \$1,000 (or \$5,000) per election contribution limits would apply to all contributions combined by that donor supporting the candidate, including contributions to the candidate, to the candidate's authorized committees, and to such unauthorized independent expenditure committees.

- For example, if an individual donates \$500 in an election to the "Support Candidate X Committee", an unauthorized committee making independent expenditures solely on candidate X's behalf, the contributor could only give \$500 more, directly, to candidate X's campaign in that election. Similarly, if an individual gives \$1,000 to candidate X's campaign in an election, the contributor could not make any donation in that election to the independent expenditure committee supporting candidate X, although the donor could make unlimited independent expenditures on his own in support of candidate X.

- The Commission said that even though no contributions can be made to Presidential candidates accepting public funds, a donor could give up to the \$1,000 (or, in the case of a multi-candidate committee, \$5,000) contribution limit to an unauthorized independent expenditure committee supporting such a single Presidential candidate.

Under the law, there are no limits to "independent expenditures" made by an individual on his own in support of a candidate. An independent expenditure is defined as "an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate or any authorized committee or agent of such candidate and which is not made in concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate."

In applying the \$1,000 contribution limit per candidate to independent expenditure committees supporting a single candidate, the policy statement said, "The Commission's proposed regulations, Section 110.1(h) provides that a person may contribute \$1,000 per election to a candidate...and also contribute to a political committee which has supported, or anticipates supporting, that candidate without violating the contribution limitation...provided...(ii) the contributor does not give to the committee with the knowledge that a substantial portion of the contributor's funds will be contributed by the committee to that candidate or expended on behalf of that candidate. Thus, if the donor had contributed the applicable maximum contribution to the candidate and (those) requirements of Section 110.1(h) were not met, the donor could not contribute any amount to the political committee with respect to the same election."

In applying the \$5,000 contribution limit to committees making independent expenditures in support of more than one candidate, the FEC policy statement said, "Contributions, by definition, are made for the purpose of influencing a federal election. That the contribution is made to a committee making independent expenditures does not remove the 'purpose' from the contribution."