



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 27, 1977

AO 1977-21

Vigo G. Nielsen, Jr., Esquire
Dobbs, Doyle & Nielsen
Suite 2500, The Alcoa Building
One Maritime Plaza
San Francisco, California 94111

Dear Mr. Nielsen:

This Advisory Opinion is in response to your letter of April 22, 1977, which asks whether transfers from a Committee to an affiliated committee are limited under the Federal Election Campaign Act of 1971, as amended.

You state your client, the California Real Estate Political Action Committee ("CREPAC"), is connected with the California Association of Realtors, a trade association.* Further you state that funds will be solicited for CREPAC/Federal" (the Federal campaign committee of CREPAC) which will transfer all its funds to the Realtors Political Action Committee ("RPAC"), the separate segregated fund of the National Association of Realtors. CREPAC/Federal will not make any contributions to candidates for Federal office, and since CREPAC/Federal is affiliated with RPAC contributions by each are regarded, for contribution limit purposes, as made by a "single political committee." See 2 U.S.C. 441a(a)(5). Therefore, in answer to your specific request the Commission concludes that transfers of funds between CREPAC/Federal and RPAC are intra-committee transactions, and consequently such transfers would not be subject to limitation under 2 U.S.C. 441a and Part 110 of the regulations. However, CREPAC/Federal and RPAC each retain their separate identity for disclosure purposes; the reports of each are required to reflect, among other things, transfers made and transfers received. See 2 U.S.C. 431(e) and 434.

* The Commission notes that the provisions of 2 U.S.C. 441b and Part 114 of the Commission's regulations apply to both CREPAC and the California Association of Realtors to the extent contributions are being solicited in connection with a Federal election.

This response constitutes an advisory opinion concerning the application of a general rule of law stated in the Act, or prescribed as a Commission regulation, to the specific factual situation set forth in your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)
Thomas E. Harris
Chairman for the
Federal Election Commission