



FEDERAL ELECTION COMMISSION
Washington, DC 20463

February 14, 1978

AO 1978-2

Mr. Wright H. Andrews
Derrick Finance Committee
Sutherland, Asbill and Brennan
1666 K Street, N.W.
Washington, D.C. 20006

Dear Mr. Andrews:

This responds to your letter of January 11, 1978, requesting an advisory opinion on the applicability of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to a proposed expenditure of the Derrick Finance Committee.

You inquire whether the payment of expenses incurred by Representative Butler Derrick and his wife in attending the Democratic National Committee's "Southern Salute to Jimmy Carter" constitutes a proper campaign expenditure by Mr. Derrick's principal campaign committee.

The Commission has stated in past advisory opinions that candidates or their principal campaign committees have discretion under the Act in deciding which expenditures will best serve their candidacies. See Advisory Opinions 1977-11 and 1977-60, copies enclosed. Accordingly, the Commission concludes that an expenditure may be authorized from the Derrick Finance Committee for the expenses described above. The expenditure must be reported as required by the Act and Commission regulations. See 2 U.S.C. 434 and 11 CFR 104.2.

The Commission may express no opinion on the possible application of the Rules of the House of Representatives to your proposed expenditure since they are outside the Commission's jurisdiction.

This response constitutes an advisory opinion concerning application of a general rule of law as 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

Enclosures