



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 28, 1978

AO 1978-47

Mr. Donald Bailey
Don Bailey for Congress Committee
231 West Pittsburgh Street
Greensburg, Pennsylvania 15601

Dear Mr. Bailey:

This responds to your letter of July 12, 1978, which requests an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to campaign contributions from the American Medical Political Action Committee ("AMPAC") and the Pennsylvania Medical Political Action Committee ("PMPAC") to your campaign committee.

Your letter states that AMPAC has recently contributed \$5,000 to your congressional campaign committee and PMPAC wishes to donate \$3,000 to your campaign. You ask whether or not these contributions totalling \$8,000 are in violation of the \$5,000 limit imposed by the Act on contributions from affiliated committees, or whether PMPAC and AMPAC are separate and distinct committees for purposes of the Act.

It is provided in 2 U.S.C. 441a(a)(5) that:

all contributions made by political committees established or financed or maintained or controlled by any corporation . . . or any other person, including any parent, subsidiary, branch, division, department, or local unit of such corporation . . . or any person, or by any group of such persons, shall be considered to have been made by a single political committee . . .

This provision applies for purposes of the \$5,000 limit imposed by the Act on contributions by a multi-candidate committee to any candidate or his authorized political committee with respect to any election for Federal office. 2 U.S.C. 441a(a)(2)(A). Commission regulations further provide that contributions by "[a]ll of the political committees set up by a membership organization, including trade or professional associations . . . and/or by related State and local entities of that

organization or group . . ." shall be considered made by a single committee, with the resultant application of the single contribution limit. 11 CFR 110.3(a).

The Commission has an ongoing interest and concern in the application of these statutory and regulatory provisions on affiliated committees to contributions made by, inter alia, AMPAC and PMPAC. The Commission is in the process of securing additional facts bearing on the issue of affiliation between those committees for purposes of 2 U.S.C. 441a(a). Thus, the Commission is clearly not in a position to issue an opinion concluding that it would be lawful under the Act and Commission regulations for your committee to accept contributions from AMPAC and PMPAC which exceed a combined total of \$5,000 with respect to your general election campaign. See Advisory Opinion 1977-40, copy enclosed.

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)

Joan D. Aikens
Chairman for the
Federal Election Commission

Enclosure