



FEDERAL ELECTION COMMISSION
Washington, DC 20463

October 30, 1978

AO 1978-80

Honorable Benjamin A. Gilman
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Gilman:

This is in response to your letter of September 26, 1978, requesting an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to an expenditure made by your campaign committee.

Your letter states that you own a building and lease the entire first floor and garage to your campaign committee. Your campaign committee pays you a rental fee of \$250 per month for the use of these facilities. You ask whether such an arrangement with your campaign committee is permissible under the Act. The Commission answers this question in the affirmative.

The Act and Commission regulations and several previous advisory opinions recognize the broad discretion which may be exercised by a campaign committee in the expenditure of campaign funds. See Advisory Opinions 1978-3, 1977-60, 1977-11, copies enclosed. Accordingly, your campaign committee may expend its funds to lease office space from you as long as payments under the lease are properly reported pursuant to 2 U.S.C. 434(b) and Part 104.2 of the Commission regulations.

The Commission expresses no views concerning the Federal income tax aspects of your request or the possible application of House Rules since those issues are not within its jurisdiction.

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

Enclosures