



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 9, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1979-53

Ms. Phyllis M. Sanders
Treasurer, Ownership Campaign
2027 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Dear Ms. Sanders:

This refers to your letter of September 3, 1979, requesting an advisory opinion on behalf of the Ownership Campaign regarding the application of the Federal Election Campaign Act, as amended ("the Act") to certain accounting procedures that the Ownership Campaign wishes to implement.

The Commission's records indicate that the Ownership Campaign is a political committee supporting the nomination and election of two Presidential candidates and two Vice Presidential candidates in the 1980 Presidential election. You state in your letter that the Ownership Campaign's sole purpose is to receive and distribute contributions to the four candidates. Our records indicate further that each of the four candidates supported by the Ownership Campaign has designated a principal campaign committee and that you serve as treasurer of each of the four principal campaign committees as well as treasurer of the Ownership Campaign.*

You indicate that the Ownership Campaign's literature states that all contributions received will be equally distributed to the four candidates. Further, you state that any contributions directed toward a specific candidate will be credited to that candidate's individual account.

Specifically, you ask whether it is permissible for you, as treasurer of four different principal campaign committees and a fifth political committee, the Ownership Campaign, to use a single checking account in the name of the Ownership Campaign to handle the financial

* The conclusion reached by the Commission in this advisory opinion with regard to the narrow question of proposed accounting procedures should not be interpreted as Commission approval of the apparent relationships among the five political committees mentioned.

transactions of all five committees so long as you maintain separate financial records for each committee for reporting purposes under the Act.

The Commission concludes that the use of a single checking account for the financial activities of five political committees would not be permissible under the Act. The Act requires that every candidate for Federal office designate a principal campaign committee and a campaign depository. 2 U.S.C. 432(e), 437b. Section 437b also requires that a principal campaign committee maintain a single checking account for that committee at the campaign depository designated by the candidate. 2 U.S.C. 437b(a). Commission regulations provide that all contributions received by a candidate or his committee must be deposited in a checking account of that candidate's principal campaign committee at the designated campaign depository. Moreover, expenditures by a candidate or his principal campaign committee may be made only by check drawn on an account corresponding to the candidate or his campaign committee. See 11 CFR 103.3(a).

Although it is permissible in the factual situation which you present for the same bank to be designated, as the campaign depository for all five political committees, you as treasurer of all five committees must maintain a separate checking account at that depository bank for each committee.

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)

Robert O. Tiernan
Chairman for the
Federal Election Commission