



FEDERAL ELECTION COMMISSION
Washington, DC 20463

March 29, 1985

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1985-10

Marjorie S. Furches, Treasurer
Citizens for Cantrell Committee
P.O. Box 1674
Charleston, South Carolina 29402

Dear Ms. Furches:

This responds to your letters of January 30 and February 15, 1985, requesting an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations, to a proposed cancellation of certain debts owed by the Citizens for Cantrell Committee ("the Committee").

Your letter indicates that you have recently filed a termination report for the Citizens for Cantrell Committee, the principal campaign committee of W. Paul Cantrell, who was a Congressional candidate in the 1982 election cycle. You state that Mr. Cantrell died on December 6, 1984, and that his estate proposes to cancel debts that are reported as owed to him by the Committee.* You note that the loans in question were made from the personal funds of Mr. Cantrell. You ask whether the estate of Mr. Cantrell is permitted to cancel the debt owed by the Committee, to enable the Committee to terminate.

Commission regulations permit House and Senate candidates to make unlimited expenditures from personal funds for purposes of influencing their own elections. 11 CFR 110.10. Thus, since Mr. Cantrell could have contributed the entire amount of the outstanding loan directly to the Committee, his estate may now forgive the debt owed by the Committee, thereby permitting it to file a termination report. See Advisory Opinion 1979-5, copy enclosed. This assumes, of course, that the Committee meets all other requirements for termination set forth at 11 CFR 102.3. The Committee must also file an amended Termination Report disclosing the estate's forgiveness of the debt. 11 CFR 102.3.

The Commission expresses no opinion regarding application of any state statute to the proposed transaction, since any such application is not within its jurisdiction.

This response constitutes an advisory opinion concerning application of the Act, or regulations prescribed by the Commission, to the specific transaction or activity set forth in your request. 2 U.S.C. 437f.

Sincerely yours,

(signed)

John Warren McGarry
Chairman for the Federal Election Commission

Enclosure (AO 1979-5)

*/ The Committee's termination report, which was filed on February 1, 1985, and covers through December 31, 1984, discloses that as of that date the Committee owed Mr. Cantrell's estate \$41,085.