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JUL 9 6 08 PM '97

Robert F Wood

July 9, 1997

Federal Election Commission
Office of General Counsel
ATTN: N. Bradley Litchfield
999 E Street NW
Washington, DC 20463

AOR 1997-14

RE: Mississippi Republican Party
Contributions to Defray Costs of Constructing a Party Office Building
Our File No: 397/053

Ladies & Gentlemen:

This firm represents the Mississippi Republican Party and in accordance with the provisions of 2 U.S.C. Section 437 (f), we hereby request an opinion concerning the following factual situation.

The Mississippi Republican Party ("MRP") proposes to solicit contributions and donations from individuals and corporations for the acquisition and/or construction of a building to be used as a party headquarters within the State of Mississippi. The building and headquarters will be used to influence federal and non-federal elections but the building fund will not be used to influence elections. In connection therewith, the MRP proposes to establish a separate building fund for individual and corporate contributions so that contributions are: (a) made to a building fund established exclusively for the purchase and/or construction of a building to serve as a new headquarters for its federal and non-federal activities; (b) used exclusively for the building project; (c) clearly designated as contributions or donations to the building fund; and (d) not used for the purpose of influencing particular federal, state or local elections or transferred to accounts used for such purposes.

Section 97-13-15 of the Mississippi Code of 1972, as annotated and amended provides as follows:

It shall be unlawful for any corporation, incorporated company or incorporated association, by whatever name it may be known, incorporated or organized under the laws of this state, or doing business in this state, or for any servant, agent, employee or officer thereof, to give, donate, appropriate or furnish directly or indirectly, any money, security, funds or property of said corporation, incorporated company or incorporated association, in excess of one thousand dollars (\$1,000.00) for the

Jackson Clarksdale Oxford Southaven

111 East Capitol Street, Suite 290 Post Office Box 2990 Jackson, Mississippi 39207-2990
601.948.0048 Fax 601.948.0050 E-mail hdccw@tsclink.net

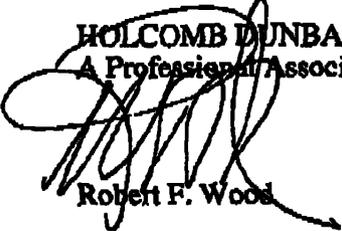
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purpose of aiding any political party or any candidate for any public office, or any candidate for any nomination for any public office or any political party, or to give, donate, appropriate or furnish, directly or indirectly, any money, security, funds or property of said corporation, incorporated company or association in excess of one thousand dollars (\$1,000.00) to any committee or person as a contribution to the expense of any political party or any candidate, representative or committee of any political party or candidate for nomination by any political party, or any committee or other person acting in behalf of such candidate. The limit of one thousand dollars (\$1,000.00) for contributions to political parties shall be an annual limitation applicable to each calendar year.

The MRP's intended actions and conditions are substantially identical to those set forth in Advisory Opinion 1991-5 and 1993-9 where the Commission approved the establishment of a Party Building Fund and stated that any state law prohibiting such a building fund or corporate contributions thereto would be preempted by federal statute. We would request an opinion from your office as to whether, on the terms and conditions described herein, the MRP is or is not prohibited from accepting corporate contributions in excess of one thousand dollars (\$1,000.00) in order to purchase and/or construct a building to be used as a party headquarters.

Respectfully submitted,

HOLCOMB DUNBAR
A Professional Association



Robert F. Wood

RFW/sc