

FEDERAL ELECTION COMMISSION

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RELEASE: ON RECEIPT

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THURSDAY, OCTOBER 23, 1975

WASHINGTON - OCTOBER 23 - the Federal Election Commission ruled today that if an individual makes an "unearmarked" contribution to a political party it will be counted as part of the individual's yearly \$25,000 contribution limit in the year the contribution was made.

In issuing Advisory Opinion #1975-74, requested by the Republican National Committee, the Commission said that the provision of the law counting contributions to a candidate "in the year of the election", for purposes of calculating the \$25,000 annual individual contribution limit, would not apply to such a general unearmarked contribution to a party.

The Commission said that contributions in non-election years would be applied to the election year limits only with respect to "contributions which are either earmarked by the donor for the use of a particular candidate or candidates", or which the donor can reasonably expect will be earmarked by the donee committee."

In other action today, the Commission issued the following Advisory Opinions:

-----Local Political Party Contributions: The FEC ruled that a county Political Party Committee is entitled to contribute \$5,000 per Congressional candidate in both the primary and the general election, if the committee meet the statutory definition of "political committee" (registered with FEC as a "political committee" for at least 6 months; received donations from more than 50 donors; and contributed to more than 5 Federal candidates.) Contributions by a county central committee must also be made without the direction or control of any other political committee or person.

The Commission noted, however, that "The total amount available for spending on behalf of a candidate for the House of Representatives by a State committee of a political party and its subordinate committees under (the law) is \$10,000. Any desired allocation of this amount would be a matter for decision among the State and local committees." (AO #29, requested by Rep. Tom Railsback, (R., Ill. - 19).

-----Political Committee Supporting Former Candidate for President: The Commission ruled that such a committee must "extinguish all debts and obligations relating to the possible presidential candidacy" before it will cease to be a "political committee" established on behalf of a presidential candidate as defined in the law. The Commission also stated that the Committee, which supports an incumbent Senator, is subject to reporting requirements and expenditure limitations in regard to the Senator's expenses for party function general political fundraising, and for any future re-election campaigns. The Commission noted further that this issue - expenditure allocation - is the subject of a draft Commission regulation. (AO #28, requested by the Percy Committee, Chicago, Ill.)

-----Newspaper Subscriptions and Travel Expenses: Funds from a Congressman's principal campaign committee may be used to purchase newspaper subscriptions and to reimburse the Congressman for travel expenses in connection with political appearances in his district. The Commission noted that "while the (law) does provide that certain activities are not to be subject to the provisions providing for the reporting and limitation of expenditures....., the (law) in no way limits the right of a candidate to make his own determination as to what expenditures should be made by his campaign." (AO #30, requested by Rep. David R. Bowen, (D. Miss.-2).