

FEDERAL ELECTION COMMISSION



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FEC APPLIES CONTRIBUTION
LIMITS TO RETIREMENT OF 1976
PRIMARY AND GENERAL ELECTION DEBTS

WASHINGTON - DEC. 8 - The Federal Election Commission today re-affirmed that separate contribution limitations apply to primary and general elections, including contributions now to retire 1976 campaign debts.

In a letter responding to AOR 1976-101, requested by the Moynihan for Senate Committee, the Commission stated that because the contribution limits apply separately to each election, the "[Moynihan Committee's] debt must be separated into primary and general election obligations, for purposes of applying the contribution limits to post-general election contributions made to retire debts," the FEC letter said.

The letter states further that "contributors should designate, in writing, the specific election debt to which their contribution relates", but that they "need not earmark the contribution for specific amounts owed to particular creditors."

"If the contributor makes no designation as to what election debt the funds should be applied, then the contribution shall be deemed to be made with respect to the general election" and cannot exceed the contributor's limit for that election.

Under the Federal election law, individuals may contribute \$1,000 per candidate per election, and "multi-candidate" committees may contribute \$5,000 per candidate per election. The Federal Election Campaign Act of 1971, as amended in 1974 and 1976, defines an "election" as "a general, special, primary or run-off election."

Under FEC proposed regulations, a contribution may be made at any time to retire primary or general election debts, provided it is within the contribution limits for each election, does not exceed net outstanding debts from each election, and is designated in writing for each election.

In response to a separate question posed by the Moynihan Committee, the Commission stated that "In view of the [Moynihan] Committee's duty to retire debts... the Commission recommends that only such 'excess campaign funds' as remain after all campaign debts are extinguished be used to defray expenses incurred in connection with holding (or assuming) Federal office."