

FEC Permits Realtors' PAC to Raise Additional Funds

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On December 14, 2006, and by a vote of 4-2, the Federal Elections Commission (FEC) permitted RPAC, the federal PAC of the National Association of Realtors (NAR), to institute a plan to raise additional funds for its federal political activity.

In its request, the NAR requested permission to transfer additional corporate monies to member state associations in its federation of trade associations in order to incentivize their agreeing to increase RPAC's percentage of the proceeds of joint federal/state PAC fundraising.

Although there were a variety of justifications given in two concurrences, a majority of the FEC commissioners agreed that the proposed activity would not violate the Federal Election Campaign Act or the FEC's regulations and that the payments by the NAR to the state associations were not covered by the FEC's "one-third rule."

Jan Baran of Wiley Rein & Fielding represented NAR and its PAC in the advisory opinion request.

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