

# FEDERAL ELECTION COMMISSION

1325 K Street, N.W.  
Washington, D.C. 20463

RELEASE: ON RECEIPT  
THURSDAY, NOVEMBER 20, 1975

ENTERTAINER'S  
TIME AND SERVICE EXEMPT  
FROM CONTRIBUTION LIMITS

CONTACT: DAVID FISKE  
SUSAN TIFFT  
(202) 382-4733

WASHINGTON - NOVEMBER 20 - An entertainer's time and services, donated for a fundraising concert on behalf of a Federal candidate, do not constitute a contribution subject to limitation, the Federal Election Commission ruled today.

The Commission said that the term "contribution" does not include the value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee."

The FEC stated further that if a campaign committee pays the entertainer's travel and subsistence expenses, "the full amount is a campaign expenditure by the Committee." The Commission noted, however, that such an expense could be considered a fundraising cost and could therefore be excluded, under the law, from the candidate's expenditure limitations, up to 20 per cent of that limitation.

The Commission noted further that an entertainer may pay these expenses himself, up to \$500, without the costs being attributed to his contribution limitation. The Commission cited a special provision of the law which exempts transportation costs incurred by a person during voluntary activity on behalf of a candidate from contribution limits "to the extent that the cumulative value of activities...does not exceed \$500 with respect to any election."

In issuing this ruling, Advisory Opinion (AO) 1975-97, requested by the N.H. Udall '76 Committee, and another fundraising concert opinion, AO 1975-49, requested by the Committee to Elect Tom Hayden, the Commission said that campaign committees do not need to keep records of the identification of anyone purchasing concert tickets, unless the aggregate amount exceeds \$10. The Commission stated further that the full purchase price of a ticket must be counted as a contribution for limitation purposes.

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

-----Multi-candidate Committees: (1) a multicandidate committee cannot make a contribution of more than the \$5,000 political committee limit for the election of one Federal candidate. Such a committee is not restricted, however, in the amount it may contribute to the national committee of a political party, provided it does not " earmark " contributions for any candidate or candidates, and that both committees are not under "common control". (AO #32, requested by the Committee for the Survival of a Free Congress).

(2) A person who has already contributed "less than or equal to" \$1,000 to a candidate, may still contribute, up to his \$25,000 aggregate limit, to a state party committee which supports the same candidate, provided the committee is not a "single-candidate committee", and the contributor does not " earmark " his contribution for the same candidate, or give with "knowledge that a substantial portion of ..(the) contribution will be contributed...(to) that candidate". (AO #48, requested by the Pennsylvania Republican State Committee).

-----Past-Campaign-Debts: Contributions to retire a pre-1975 campaign debt, received prior to the FEC's issuance of an Interim Guideline on the subject, August 5 1975, do not have to be accompanied by a statement restricting use of contributions to prior-year elections. The requirement for such information is applied prospectively only. Contributions received before December 31, 1975 to retire a pre-1975 debt are not subject to contribution limits, as stated in AO's 5 and 6 previously issued by the Commission. (AO #68, requested by Rep. William Hughes (D. N.J.-2)).