



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

May 5, 1977

AO 1977-13

Honorable Newton I. Steers, Jr.  
House of Representatives  
Washington, D. C. 20515

Dear Mr. Steers:

This letter responds to your request of March 16, 1977, for an opinion concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to a proposed 1977 summer intern program you wish to sponsor for high school students within your district.

You state that "as constituent service to the 8th Congressional District of Maryland," you wish to sponsor a special three-week program on Capitol Hill this summer for approximately thirty-five high school juniors, "to acquaint young people with our government and its operation." The students will be selected by their high schools and an "independent intern committee" from your district "without regard to party preference;" your role, you say, will be limited to setting up a program of speakers from various branches of Government. The program will involve expenses for transportation and other incidental costs of the students, which the Intern Selection Committee ("the Committee") proposes to defray with donations solicited only from individuals.<sup>1</sup> You state that "[a]ll funds will be handled by this committee," and you ask whether the program as described would be permissible.

The Commission concludes that your sponsorship of the described summer intern program would not be prohibited by the Act or the Commission's regulations, and the program may be funded by the Committee rather than your existing campaign committee. Based on your letters it does not appear that the funding would involve any contributions or expenditures "made for the purpose of influencing" your future nomination or election. Thus, the Committee would not be a "political committee" under the Act. See definitions in 2 U.S.C. 431(d), (e), and (f).

A question is presented as to whether donations to the Committee are amounts contributed "for the purpose of supporting [your] activities as a holder of Federal office." See 2 U.S.C. 439a and 113.1 of the Commission's regulations. Under the facts presented the Committee will apparently handle all funding for the summer intern program. However, you are initiating and apparently organizing significant parts of the program and will be the program's sponsor; furthermore, your letter specifically characterizes the program as "constituent service."

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<sup>1</sup> This source of funding was confirmed by your supplemental letter of March 25, 1977.

Thus, it appears donations to the Committee to fund the proposed 1977 summer intern program would be funds donated to support your activities as a Federal officeholder under the "purpose" test in 2 U.S.C. 439a, and would be subject to disclosure under 113.4 of the regulations.<sup>2</sup> The Commission points out that the circumstances presented by your request are distinguishable from the situation where an officeholder merely meets with constituents and participates in activities initiated and funded by them for their own purposes and benefit.

The Commission notes that the Rules of the House of Representatives may apply to the described activity, but may express no opinion with respect to those rules. Nor may the Commission express any views as to the income tax ramifications of your proposal since those issues are within the jurisdiction of the Internal Revenue Service.

This response constitutes an advisory opinion concerning the application of a general rule of law stated in the Act, or prescribed as a Commission regulation, to the specific factual situation set forth in your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)  
Vernon W. Thomson  
Chairman for the  
Federal Election Commission

Enclosures

Cc: District Office, Wheaton, Maryland

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<sup>2</sup> See the enclosed Commission response to Advisory Opinion Request 1976-89; note also that under 113.5(a) any "contributions" to or "expenditures" by the Committee which are made for the purpose of influencing a Federal election are subject to 2 U.S.C. 441a and Part 110 of the Commission's regulations.