



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 10, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1979-64

The Honorable John W. Jenrette, Jr.
U.S. House of Representatives
240 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Jenrette:

This responds to your letter of November 5, 1979, requesting an advisory opinion regarding application of the Federal Election Campaign Act, as amended ("the Act"), and Commission regulations to the solicitation, receipt, and use of funds by the Tourism Caucus, a Congressional legislative support organization.

According to your letter, 112 Members of Congress have recently created a Tourism Caucus "to promote and expand the economic viability of the American industry and the jobs of its workers." This is to be accomplished by:

- 1) Providing a forum for Members of Congress to exchange information, suggestions, and research with their colleagues;
- 2) Providing the Executive Branch and Administrative agencies of the U.S. government with the information the Caucus has gathered, and apprise them of the sentiments of the Members of Tourism Caucus;
- 3) Exploring and researching possible avenues of legislative solutions to related problems and areas of concern.

To carry out its function you state that the Caucus will hire several staff members and will have salary and miscellaneous administrative and support expenses normally associated with operating a legislative support organization. The members of the caucus are exploring various means of funding these expenses. Thus you ask whether any provision of the Act or regulations

either prohibits or restricts the solicitation, receipt, or use of corporate or individual funds by the Tourism Caucus.

Given the stated purpose and planned activity of the Caucus it appears that the Caucus neither is nor intends to be a political committee as defined in 2 U.S.C. 431(d), nor does it intend to be involved in Federal elections. Absent such intent or involvement the Commission concludes that the Caucus does not come within the purview of the Act's limitations or prohibitions set forth in 2 U.S.C. 441a and 441b regarding contributions by persons and corporations respectively. Of course, the commission notes that this conclusion is predicated on the facts as presented in the request. If there is any change in the stated purpose or activities of the Caucus, another advisory opinion request should be submitted at that time. Moreover, the Commission expresses no opinion regarding application of the House or Senate rules to the situation you have described.

This response constitutes an advisory opinion concerning 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)

Robert O. Tiernan
Chairman for the
Federal Election Commission