



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 14, 1985

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1985-32

William G. Dalton
Tenth International Congress of Essential Oils, Fragrances and Flavors
900 17th Street, N.W.
Suite 650
Washington, D.C. 20006

Dear Mr. Dalton:

This responds to your letter of October 2, 1985, requesting an advisory opinion concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations, to a reception for members of the U.S. Senate and House of Representatives sponsored by the Tenth International Congress of Essential Oils, Fragrances, and Flavors ("the International Congress").

Your request states that on November 17 or 18, 1986, the International Congress intends to sponsor a reception for members of the U.S. Senate and House of Representatives. You expect 500 participants from various countries to participate in the "Congressional Reception." To cover the reception costs, a nominal fee will be charged to each participant. All monies collected will be used to offset the cost of the reception. No money will be donated to any political organization or the campaign fund of any Senate or House member. You ask if this activity "is reportable under any regulation regarding activities with members of the House or Senate."

The Act and regulations require the reporting of contributions to and expenditures by political committees. 2 U.S.C. 434(a) and 11 CFR Part 104. A political committee is defined as any committee, club, association, or other group of persons which receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. 431(4) and 11 CFR 100.5(a). The terms contribution and expenditure are generally defined to include transactions such as gifts of money, or anything of value, loans, advances, payments, or purchases if made for the purpose of influencing any election for Federal office. 2 U.S.C. 431(8) and (9). In past advisory opinions, the Commission has consistently held that contributions or

expenditures do not result where the major purpose of an activity involving the participation of Federal officeholders who may also be candidates is not to influence their nomination or election to a Federal office. See Advisory Opinions 1982-50, 1981-37, 1980-89.

As stated in your request, none of the funds collected from the 500 international participants involved in the reception will be used to support any of the officeholders attending the event. The money will only be used to defray the cost of the reception. In light of this information, the Commission concludes that the Act does not apply to payments received or made to defray the expenses of the reception. This conclusion is conditioned on the premise that the event: a) will not involve the solicitation, making or acceptance of any campaign contributions; and b) will not include any communication expressly advocating the nomination, election or defeat of any Federal candidate. Provided the above criteria are met, your reception would not be regarded as a campaign event within the purview of the Act.

The Commission expresses no opinion regarding the possible application of Senate or House rules to the described reception, nor as to any tax ramifications, since those questions are outside its jurisdiction.

This response constitutes an advisory opinion concerning application of the Act, or regulations prescribed by the Commission, to the specific transaction or activity set forth in your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)

John Warren McGarry
Chairman for the Federal Election Commission

Enclosures (AOs 1982-50, 1981-37, 1980-89)