

J R. MADIGAN
ILLINOIS

OGC 755-1

**Congress of the United States
House of Representatives
Washington, DC 20515**

August 16, 1990

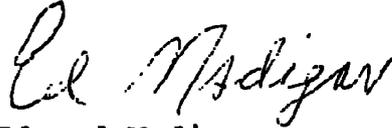
Honorable Lee Ann Elliott
Chairman, Federal Election Commission
999 E Street, N. W.
Washington, D. C. 20463

Dear Chairman Elliott:

My wife, Evelyn, and I just recently returned from Eastern Europe where we met with various government officials and new entrepreneurs.

During the fall campaign, my wife will be talking to people about what we learned on this trip. Accordingly, I would like to inquire whether any part of the expenses she might incur as a result of this would be considered legitimate campaign expenses.

Sincerely,



Edward Madigan
Representative in Congress

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 31, 1990

The Honorable Edward Madigan
United States House of Representatives
2109 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Madigan:

This refers to your letter dated August 16, 1990, concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to the proposed disbursement of campaign funds for talks given by your wife.

You state that your wife and you recently returned from Eastern Europe where you met with various government officials and new entrepreneurs. During the fall campaign, your wife will be talking to people about what you learned on that trip. You wish to know whether any part of the expenses she might incur as a result of this would be considered legitimate campaign expenses, i.e., expenses for which your campaign committee could disburse funds.

The Act authorizes the Commission to issue an advisory opinion in response to a "complete written request" from any person with respect to a specific transaction or activity by the requesting person. 2 U.S.C. §437f(a). Commission regulations explain that such a request "shall include a complete description of all facts relevant to the specific transaction or activity with respect to which the request is made." 11 CFR 112.1(c).

In view of the cited requirements, you will need to provide information as to a number of relevant factors referred to in the questions set out below.

- (1) Please state where your wife will be giving her talks, e.g., whether inside or outside of your district.
- (2) Please state the kinds of groups to which your wife will be talking.
- (3) Please state whether there is any business purpose for these talks and what that purpose is. Please also state whether these talks are in connection with your duties as a Federal officeholder.

- (4) Please state whether the campaign will be referred to in these talks.
- (5) Please state whether contributions will be solicited or collected from those persons attending these talks.
- (6) Please state whether these talks will be delivered directly before or after, or otherwise in connection with, campaign events.
- (7) Please describe the kinds of expenses you anticipate in connection with these talks.

For your information and review, I am enclosing copies of Advisory Opinions 1988-13, 1987-2, 1985-42, and 1985-22. You may also wish to consult the Standards of Official Conduct for the House of Representatives. Please note, however, that the Commission does not interpret those rules.

Upon receiving your responses to the above questions, this office and the Commission will give further consideration to your inquiry as an advisory opinion request. If you have any questions concerning the advisory opinion process, the enclosed opinions, or this letter, please contact the undersigned.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


N. Bradley Litchfield
Associate General Counsel

by
SSP

Enclosures

Congress of the United States
House of Representatives
Washington, DC 20515

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September 10, 1990

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N. W.
Washington, D. C. 20463

AOR 1990-21

90 SEP 11 PM 12: 21

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FEDERAL ELECTION COMMISSION

Dear Mr. Noble:

I am in receipt of your letter of August 31, 1990, in which you indicate that, if I am able to provide the Commission with more information, an advisory opinion could then be issued as to whether any expenses my wife would incur as a result of her talking to various groups about our recent trip to Eastern Europe could be paid by my campaign committee.

I will attempt to answer your questions in the order in which they appeared in your correspondence.

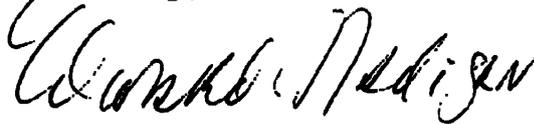
- (1) My wife will be giving talks only inside my congressional district.
- (2) Her talks would be before groups of Republican women.
- (3) There is no business purpose for these talks and they are only connected with my duties as a Federal officeholder in the sense they refer to the discharge of my duties.
- (4) The campaign will not be referred to in these talks.
- (5) No contributions will be solicited or collected from individuals attending these talks.
- (6) The talks will be delivered in connection with campaign events.

Mr. Lawrence M. Noble
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September 10, 1990

- (7) The kinds of expenses incurred would be for mileage, lodging and meals, and I anticipate the total would be less than a thousand dollars.

Your continued efforts in this matter are very much appreciated and I hope to hear from you again in the near future.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edward Madigan".

Edward Madigan
Representative in Congress