



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

March 21, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1980-16

Mr. Harmon Killebrew  
Mr. Ralph Harding  
Danny Thompson Memorial Leukemia Fund  
c/o Killebrew and Harding  
1475 West Hays Street  
Boise, Idaho 83702

Dear Mr. Killebrew & Mr. Harding:

This responds to your letter of February 15, 1980, concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to transportation for Senators and Congressmen to a charity fundraising golf tournament.

Your letter states that for the past three years you have sponsored the Danny Thompson Memorial Golf Tournament ("the Tournament") at Sun Valley, Idaho for the purpose of raising money for leukemia research. The Tournament is named after Danny Thompson, a major league baseball player who died of leukemia in the early years of his playing days at the age of 28. The format for the Tournament, which will be held this year in August, is to invite celebrities to whom you furnish transportation and lodging, and the general public is charged an entry fee to play with these celebrities. The celebrities include Hollywood entertainers, retired athletic greats, elected officials-including several Senators and Members of Congress who may also be candidates for Federal office. Corporations act as Tournament sponsors and contribute cash or airplane transportation or both in connection with the Tournament. Under these circumstances you ask whether corporations may contribute transportation, lodging and meals to the celebrity participants, including Senators and Congressman, without being considered to have made a prohibited corporate campaign contribution.

The Commission has previously recognized that in charitable events, such as here, the major purpose of the activity is not the nomination or election of a candidate. See the definitions of "contribution" and "expenditure" in 2 U.S.C. 431(8) and (9); see also Advisory Opinions 1978-15 and 1978-88, copies enclosed. Accordingly, the Commission concludes that so long as

the Tournament does not involve any solicitation of campaign contributions to candidates for Federal office participating in the event, or any advocacy in support of their election, corporations may provide transportation, lodging and meals to celebrities that include candidates for Federal office and not be in violation of the Act.

The Commission expresses no opinion as to the possible application of House or Senate Rules to the situation described in your request since those issues 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)

Robert O. Tiernan  
Chairman for the  
Federal Election Commission

Enclosures