

GOVERNMENT ETHICS AND ELECTION LAW

ALERT

June 21, 2004

Ethics and the National Party Conventions

The Democratic National Convention will be held July 26-29 in Boston; the Republican National Convention will be held August 30-September 2 in New York City. Both conventions offer excellent opportunities to raise awareness of an issue, affect a party's platform, or meet with influential leaders.

When considering getting involved in one or both National Conventions, it is important to keep in mind the ethical requirements surrounding that involvement. This alert touches briefly on the most critical issues.

Convention ethics rules apply *in addition* to the rules promulgated by the FEC, House, and Senate governing campaign contributions, gifts, and travel - not instead of those rules.

Convention staff are not generally allowed to work directly with corporations; corporations that want to participate in activities related to the National Conventions would be best advised to work with the respective Host Committees for purposes of coordination. Contact information for the two host committees is included on the next page.

GIFTS, INVITATIONS, TRAVEL, ENTERTAINMENT, AND LODGING

The House and Senate gift and travel rules permit Members and staff to accept the following types of gifts and entertainment at Conventions:

- Gifts of any kind paid for by any unit of federal, state, or local government, including the Host Committee and the cities of Boston and New York. However, such gifts cannot be accepted if the governmental unit or Host Committee is acting as a mere conduit.
- Gifts with little intrinsic value, such as commemorative t-shirts or baseball caps.
- Any single gift with a market value of less than \$50 (provided the gifts given to a Member or staffer total to less than \$100 for the calendar year).
- Transportation, food, lodging, refreshments, and entertainment in the host city in connection with the Conventions, if provided by a political organization in connection with a campaign or fundraising event.
- Invitations to any reception (since food of nominal value that is not part of a meal is acceptable).

continued...

- Offers of free attendance to “widely attended events,” which includes formal sit-down meals. (The “widely-attended event” rule requires that there be at least 25 non-congressional attendees, and that the invitation be extended by the event organizer. It generally is not considered to apply to entertainment events such as baseball games or concerts. Each Member or staff person may bring one other person under this rule.)
- Offers of free attendance to a fundraising event, if provided by the sponsor of the event.

In addition, Members (and any staff who are also convention delegates) may accept invitations and gifts that are offered to all convention delegates or all delegates within a certain subset (i.e. all delegates from a state). While a corporation may directly pay for a “delegate” event outside the Convention venue, the corporation’s PAC or an individual (not the corporation) should pay for any such events within the Convention site (e.g., hosting delegates in a corporate suite).

FUNDRAISERS

For fundraisers at Conventions, as for contributions of all kinds, the usual rules apply regarding contribution limits and corporate involvement. Please contact one of our campaign finance specialists for further information on how your organization can participate in fundraising or host events at the Conventions, or with any questions about ethics and political involvement at the Convention.

DISCLAIMER

This ALERT provides general information about political ethics. It is not a legal opinion or legal advice. Readers should confer with appropriate legal counsel on the application of law to their own situations. Entire contents copyright 2004 by Preston Gates Ellis & Rouvelas Meeds LLP. Reproduction of this ALERT in whole or in part without written permission is prohibited.

TO FIND OUT MORE

If you have questions about this Alert, or other issues related to campaign finance law, please contact the following attorneys, who comprise the Government Ethics and Election Law practice group at Preston Gates:

Tim Peckinpugh, Washington, D.C.
(202) 662-8465
timp@prestongates.com

David Thomas, Washington, D.C.
(202) 661-3864
davidth@prestongates.com

Paul Stimers, Washington, D.C.
(202) 661-3883
pauls@prestongates.com

To obtain a copy of our firm’s *Guide to Political and Lobbying Activities*, please contact our Marketing Department at (202) 628-1700.

For more information about the firm, visit www.pgerm.com.

DEMOCRATIC HOST COMMITTEE

Boston 2004
Three Copley Place
Suite 501
Boston, MA 02116
Phone: (617) 247-2004
Fax: (617) 247-0874
<http://www.nyc2004.org/>

REPUBLICAN HOST COMMITTEE

NYC Host Committee 2004
2 Pennsylvania Plaza
New York, NY 10121
Phone: (212) 630-8004
<http://www.boston04.com/>