

POLICY ALERT

INAUGURAL EVENTS

Washington, D.C. will play host to people from throughout the country when the 56th Inaugural Ceremony is held on January 20, 2009. The events surrounding the inauguration are regulated by many different rules. Whether making a donation to the Presidential Inaugural Committee, obtaining tickets to the inaugural ceremony at the Capitol, attending events sponsored by a state society or planning a corporate event, it is important to know which rules apply in each situation.

ENTITIES INVOLVED

The Joint Congressional Committee on Inaugural Ceremonies (JCCIC) and the Presidential Inaugural Committee (PIC) are the two main entities involved in the planning and financing of the events surrounding the inauguration. The JCCIC is responsible for organizing the inaugural ceremonies held at the U.S. Capitol, including construction of the platform, the congressional luncheon and the swearing-in ceremony. The JCCIC does not accept donations from private individuals or other entities and is funded entirely with government funds.

The PIC organizes and directs the social events of the presidential inauguration, including pre-inaugural receptions and performances, the Inauguration Day parade, galas and inaugural balls. It also develops and markets souvenirs, including the official program and/or book and the official medal. The PIC may accept donations from private sources, with the exception of foreign nationals who are prohibited from making donations to the PIC.

Political party committees, state society organizations and other organizations such as trade associations, corporations and other political committees will likely organize additional events in connection with the inauguration.

CONGRESSIONAL GIFT RULES

There is no blanket exemption from the congressional gift rules for the events surrounding the inauguration. For organizations that employ or retain lobbyists, there is a zero dollar threshold for gifts. For other organizations, there is a \$50 gift limit. Therefore, it is important to carefully structure events to be in compliance with the gift rules. For example—

- Inaugural events sponsored by private parties may qualify as widely attended events such that members of Congress and their staffs may attend.

- Fundraising events sponsored by political organizations may also qualify for an exception under the gift rules.
- Charitable fundraising events may also be attended by members of Congress and staff.

With each different kind of event, there are rules governing the ability of a member of Congress or a member of his or her staff to accept an invitation. Relevant factors include the structure of the event and the person or organization extending the invitation as well as other considerations. Whether the event is a state society inaugural ball, a reception or dinner hosted by a corporation or other organization, or a political or charitable fundraiser, the congressional gift rules remain in effect.

FEDERAL CAMPAIGN FINANCE RULES

Federal campaign finance rules prohibit the PIC from accepting donations from foreign nationals. Individuals and corporations may make donations, in any amount, to the PIC, and all donations received by the PIC will be publicly disclosed to the Federal Election Commission within 90 days after the inaugural ceremony. The PIC is required to disclose any donation of money or anything of value made to the committee from a donor in an aggregate amount equal to or greater than \$200. The name and address of each donor, the amount of the donation and the date of the donation will be disclosed. A donation would include the entire amount paid for any ticket for an inaugural event hosted by the PIC.

LOBBYIST SEMIANNUAL CONTRIBUTION REPORTS

The Honest Leadership and Open Government Act of 2007 requires that registrants and registered lobbyists under the Lobbying Disclosure Act file a semiannual contribution report (LD-203) disclosing certain contributions and payments. Payments to the PIC, as well as any contributions made to political party committees, must be disclosed on the next semiannual report due in January. This will include payments to the PIC aggregating more than \$200 for tickets, etc. Therefore, please make sure to retain all records of any donations or contributions made in connection with the inauguration to help in compiling the LD-203.

CONTACT INFORMATION

If you have questions about this alert, please contact:

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