

# Recent FEC Advisory Opinions

---

July 2003

In the past several months, the Federal Election Commission (FEC) has issued several Advisory Opinions on questions of federal campaign finance. A summary of a few selected opinions follows below.

## Authors

---

D. Mark Renaud  
Partner  
202.719.7405  
mrenaud@wiley.law

- **AO 2003-14 (June 18, 2003):** Given Home Depot's custom of employees wearing shop apron pins, the size of the proposed pin, the pin's relative size to other pins, the limited time the pins would be worn, and the message contained on the pin, the FEC allowed Home Depot to give pins to members of its restricted class to be worn on their shop aprons. The pins bear the capitol dome, the Home Depot logo, and the word "PAC."
- **AO 2003-23 (June 12, 2003):** The FEC allowed Rory Reid, the son of Senator Reid of Nevada, to solicit contributions for the state party outside the prohibitions and limitations of the Act even though he a) is the son of a sitting Senator and candidate for the Senate; b) has solicited contributions for his father in the past; and c) may solicit contributions for his father in the future. The AO endorses a dual-agency theory—that persons may wear different hats at different times.
- **AO 2003-13 (June 12, 2003):** Under the case-by-case exception for the definition of "member" in the FEC's regulations, the FEC allowed the American Academy of Ophthalmologists to solicit members-in-training even though they don't pay dues and do not have a right to vote. The institutional relationship with the Academy and corresponding financial relationship of the members-in-training were taken into account.