



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

February 10, 1983

CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1983-1

The Honorable Lawrence Coughlin  
House of Representatives  
2467 Rayburn House Office Building  
Washington, D.C. 20515

Dear Mr. Coughlin:

This responds to your letter dated January 12, 1983, requesting an advisory opinion regarding application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to your receipt of rent from your principal campaign committee, Coughlin for Congress ("the Committee"). Your request sets forth the following facts:

You represent the Thirteenth Congressional District in Pennsylvania where you have a residence in Villanova. The residence comprises three approximately equal rooms and a bathroom. When you are in the District for business and personal purposes you occupy two of these rooms. You also occupy them when you are in the District for campaign purposes. You state that "[t]he third room is used exclusively for storage of campaign headquarters furniture, equipment and supplies between elections and for storage of campaign supplies during elections." You specifically ask whether the Committee may pay "one-third of the rent on" your residence.

Under the Act and Commission regulations, the Committee may pay one-third of the rent of your Villanova residence. The Commission has specifically held that, under the Act, a principal campaign committee may pay rent to a candidate for campaign office space in the candidate's home. Advisory Opinion 1976-53, copy enclosed. This holding has been extended to allow a campaign committee to pay rent to a candidate for campaign office space in the candidate's business office. Advisory Opinions 1978-80 and 1977-12, copies enclosed. The Commission concludes that your situation is materially indistinguishable from these prior opinions. 2 U.S.C. 437f(c).

The basis for these opinions is the well-established principle that under the Act and Commission regulations a candidate and his or her committee have wide discretion in making expenditures to influence the candidate's election. Advisory Opinions 1981-25, 1981-2, 1980-49, and 1980-29, copies enclosed; 2 U.S.C. 431(9). Of course, any expenditures for rent made by the Committee must be reported pursuant to 2 U.S.C. 434. See 11 CFR 104.3(b).

The Commission expresses no opinion concerning any possible application of House Rules to the situation presented since those issues are not within its jurisdiction. For the same reason the Commission also expresses no views as to any tax ramifications in this case.

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 by your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)

Danny L. McDonald  
Chairman for the Federal Election Commission

Enclosures (AOs 1981-25, 1981-2, 1980-49, 1980-29, 1978-80, 1977-12 and 1976-53)