

FEC Permits Use of Campaign Funds for Childcare Expenses

On May 10, 2018, in an unprecedented move, the Federal Election Commission issued Advisory Opinion 2018-06, permitting the use of campaign funds to offset the cost of candidates' childcare expenses. The opinion was in response to a request by Liuba Grechen Shirley, a candidate for the 2nd Congressional District of New York. Prior to announcing her candidacy, Shirley worked from home where she cared for her children. Once her campaign began, it became apparent that fulltime childcare was needed as a result of her candidacy. Citing the Federal Election Campaign Act, the FEC noted that "campaign funds may be used to defray expenses in connection with a candidate's campaign for federal office." Although there is a prohibition in the act against using funds for personal use, the FEC determined that where campaign expenses are a direct result of campaign activity and would not exist otherwise, a candidate may use campaign contributions to defray those expenses.