

Issue	Regulation	Clarifying Information	Definition/Explanation
Childcare expenses	The Act and Commission Regulations do not expressly address childcare expenses	Reviews childcare expenses on a case-by-case basis	The Commission has generally concluded that campaign funds may be used for childcare expenses if they are incurred as a direct result of campaign or officeholder activity.
Use of Funds	52 U.S.C. § 30114(a),(b); 11 C.F.R. §§ 113.1, 113.2	How an authorized committee may use its funds	An authorized committee may use its funds for several specific purposes, including “ordinary and necessary expenses incurred in connection with duties of the individual as a holder of [f]ederal office,” and “any other lawful purpose” that does not otherwise constitute conversion of campaign funds to “personal use.”
Personal Use	11 C.F.R. § 113.1(g)	The Commission prohibits the use of campaign funds for personal use	Any use of funds in a campaign account of a present or former candidate to fulfill a commitment, obligations or expense of any person that would exist irrespective of the candidates campaign or duties as an officeholder
Irrespective test	11 C.F.R. § 113.1(g)	Defines how to differentiate between legitimate campaign and officeholder expenses from personal use expenses	Personal use is any use of funds in a campaign account of a candidate (or former candidate) to fulfill a commitment, obligation or expense of any person that would exist irrespective of the candidate’s campaign or responsibilities as a federal officeholder. Essentially, if the expense would exist even in the absence of the candidacy or even if the officeholder were not in office, then the personal use ban applies

Case-by-case examples:	Date	Background	Determination
Advisory Opinion 2018-06	May 10, 2018	The candidate for the 2 nd Congressional District of NY was previously a consultant who worked from home. She also cared for her children full time because she worked from home.	Yes, campaign funds may be used to pay for the childcare expenses here because candidate gave up her in-home consulting work to run her campaign and had to hire a caregiver for her children to fulfill her campaign duties.
Advisory Opinion 2019-13	July 25, 2019	The candidate for the U.S. Senate seat representing Texas previously held a career in military service. The candidate left her job to focus on her campaign and is unable to provide full-time care for her children.	Yes, campaign funds may be used to pay for childcare expenses here because the vast majority of candidate's time away from her family, which requires her to hire a caregiver for her children, is spent on campaign related activities.
Advisory Opinion 1995-42	January 11, 1996	The candidate running for re-election to the U.S. House of Representatives seat representing the 5 th district of Louisiana requested campaign funds be used for childcare. The candidate and his wife traveled extensively within the candidate's congressional district for campaign purposes. The candidate's wife is said to be an integral part of his campaign team and her presence is vital.	Yes, campaign funds may be used to pay for childcare expenses here because the candidate and his wife both occasionally need to attend the campaign event and the childcare expenses are incurred as a direct result of the campaign activity.