

## ADVISORY OPINION 1975-13

### Legality of Presidential Candidate Receiving Travel Expenses from Corporations.

The Federal Election Commission renders this advisory opinion under 2 U.S.C. 437f in response to a request submitted by a candidate. The request was made public by the Commission and published in the Federal Register on July 17, 1975 (40 FR 30258). Interested parties were given an opportunity to submit comments relating to the request.

The requesting party seeks an advisory opinion as to whether 18 U.S.C. 610 prohibits a Presidential candidate from receiving travel expenses for a speaking engagement at a Chamber of Commerce, if the Chamber's general treasury includes money contributed by corporations.

Section 610 prohibits corporations from making contributions or expenditures in connection with Federal elections, and prohibits any person from accepting or receiving any such contributions or expenditures. As used in section 610, contribution includes "any direct or indirect payment, \* \* \* to any candidate, \* \* \* in connection with any election to [Federal office] \* \* \*" Thus, reimbursing the travel expenses of a Presidential candidate from corporate funds would be prohibited by 18 U.S.C. 610, since any public appearance of such a candidate before an audience, comprised of individuals who could be influenced to take affirmative action in support of his candidacy as a result of that appearance, is connected with an election.

The Commission's opinion is that, once an individual has become a candidate for the Presidency, all speeches made before substantial numbers of people are presumably for the purpose of enhancing his candidacy. (See also Advisory Opinion 1975-8 issued August 14, 1975, in which the Commission decided that certain travel and subsistence expenses paid to officeholders who are also candidates are subject to 18 U.S.C. 610 and 611). Accordingly, since the requesting party is a Presidential candidate, he would be prohibited from accepting corporate funds to pay his travel expenses in connection with the speaking engagement. The Commission notes, however, that organizations, such as Chambers of Commerce, could properly (within the limits of 18 U.S.C. 608) pay the travel expenses of candidates by making such payments from separate segregated accounts containing non-corporate funds.

Date: Aug. 18, 1975

(signed)

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Thomas B. Curtis  
Chairman for the  
Federal Election Commission