



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

July 21, 1977

AO 1977-26

Timothy J. Michals, M.D.  
424 Pine Street  
Philadelphia, Pennsylvania 19106

Dear Dr. Michals:

This responds to your letters of May 5 and June 8, 1977, regarding an advisory opinion request on behalf of the Green for Senate Committee. Your request concerns the propriety, under the Federal Election Campaign Act of 1971, as amended ("the Act"), of reimbursing William J. Green for certain voter registration promotional activities which he performed while actively campaigning for the Pennsylvania U.S. Senate seat in 1976.

Your letters state that the State Democratic Party of Pennsylvania/Voters Registration Drive Committee ("VRC") was organized during the 1976 election campaign period to encourage and promote voter registration throughout the State. The VRC also registered with the Commission as a "political committee" under 2 U.S.C. 431(d), 433. According to your letters, as the Democratic candidate for United States Senate from Pennsylvania in 1976, Mr. Green "encouraged voter registration as an integral part of his campaign throughout the Commonwealth of Pennsylvania." The VRC now wishes to compensate Mr. Green for those services rendered on behalf of the voters registration drive. Specifically, you ask whether the Green for Senate Committee may accept payment from the VRC for services rendered in promoting the drive and, if so, whether there is a limit to such payment.

The Commission concludes that under the circumstances described in your request, any compensation or reimbursement by the VRC would be a contribution to Mr. Green within the meaning of the Act and would therefore be subject to the limits of 2 U.S.C. 441a(a). The proposed payment may accordingly be accepted by the Green Committee to the extent it is within the cited limits and is otherwise proper under the Act.\*

The Commission's regulations allow a political party to reimburse a candidate for expenses incurred while engaged in party-building activity. However, payment of this kind is

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\* Contributions to retire 1976 election campaign debts are considered as made with respect to 1976 elections and are aggregated with pre-election contributions of the same donors for purposes of 441a(a). See 110.1(g) of the Commission's regulations and also the Commission's responses to Advisory Opinion Requests 1976-101 and 103 (copies enclosed).

limited to situations where the services performed are strictly party related and where the activity is a bona fide party event or appearance rather than for the purpose of influencing the candidate's nomination or election. See 110.8(e) of the Commission's regulations. It is impossible to distinguish Mr. Green's party-building activities from those directly related to his candidacy. As you explained, Mr. Green participated in the voter registration drive "as an integral part of his campaign." In addition, the constituency sought to be reached by the voter registration drive was identical to Mr. Green's constituency for election to the Senate. It is most unlikely of the VRC did not in fact influence his own Senate candidacy.

This response constitutes an advisory opinion concerning the application of a general rule of law stated in the Act, or prescribed as a Commission regulation, to the specific factual situation set forth in your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)  
Thomas E. Harris  
Chairman for the  
Federal Election Commission

Enclosure [regs, responses to AOR's 1976-101 & 103]