

FEDERAL ELECTION COMMISSION

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382-6023 or 382-5162FEDERAL ELECTION COMMISSION ANNOUNCES
ADVISORY OPINION PROCEDURES

WASHINGTON - JUNE 12 - The Federal Election Commission today announced procedures for issuing "Advisory Opinions" on the legality of specific campaign activities under the new federal campaign financing law.

The first requests for advisory opinions will be published for public comment next week.

FEC Chairman Thomas B. Curtis said "The FEC advisory opinion procedure will help provide advance guidance to federal candidates and political committees about whether their activities are in compliance with the law.

"In addition, the advisory opinions will provide a useful body of precedents on specific campaign activities that will be a helpful supplement to the more general rules and regulations the Commission will be releasing, after Congressional review, in later weeks," Curtis said.

Earlier in June, the FEC asked for public comment by July 1 on more than two dozen questions of interpretations of numerous provisions of the campaign financing law.

The 1974 campaign financing law requires the FEC to issue advisory opinions to three categories of requestors: federal office holders, candidates and political committees. The opinions must be limited to a "specific transaction or activity" by the individual or committee making the request. A recipient of an advisory opinion is "presumed to be in compliance" with the campaign financing law so long as he "acts in good faith in accordance with the provisions and findings" of the opinion. Requests for advisory opinions must be published for public comment prior to issuing the opinion.

Under the procedures announced today, the FEC will publish eligible requests for advisory opinions in the Federal Register, the Congressional Record, and release them to the press. Following a ten-day period for public comment, the Commission will issue the Advisory Opinion, and similarly publish it in the Federal Register, the Congressional Record, and release it to the press.

The Commission also agreed to issue "Opinion of Counsel" letters, on its own discretion, to answer requests not eligible to receive a formal "advisory opinion," but which the Commission feels "raise a matter of such importance that it would be helpful to respond" Curtis said. "These letters will not carry with them the 'presumption of compliance' that the statute provides for recipients of advisory opinions. But this informal Opinion of Counsel procedure will be another way for the Commission to help give advance clarification of the requirements under the campaign financing law".