



March 23, 2006

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COMMISSION
OFFICE OF GENERAL
COUNSEL
2006 APR -3 A 9 56

Lawrence Norton, Esq
General Counsel
The Federal Election Commission
999 E Street NW
Washington, DC 20463

MUR # 5725

Dear Mr Norton

I am writing in regard to recent electioneering communications by V. Eric Roach, a candidate for Congress in California's April 11th special election in the 50th Congressional District.

Mr Roach has been engaged in the distribution of mailers promoting his candidacy for Congress signed by Mr Roach's wife, Margaret Roach (see attachments) The mailers, which are designed to resemble a "personal note," begin, "I am writing you a personal note today to ask you to vote for my husband, Eric Roach," and continue to advocate for his election throughout the two-sided letter, as defined in 2 U.S.C 434(f)(3) as "electioneering communication "

However, Mr Roach failed to include any disclaimer that the mailer was paid for by his campaign More disturbing is that Mr. Roach attempted to hide behind an allegedly "personal note" from his wife to avoid legal requirements.

Beyond the issue of enforcement of 2 U.S.C. § 441d(a), which requires disclaimers on all "public communications," Mr. Roach's mailer is an example of deceptive paid communication that would lead a reasonable person to believe that he or she had received a personal note from the wife of a candidate. This type of misleading communication is at the heart of the original rationale for disclaimer requirements

Voters of the 50th Congressional District are currently being bombarded with direct mail advocating the election or defeat of various candidates for Congress Mr Roach's decision to use his wife to avoid election law calls for an immediate decision from the Federal Election Commission establishing the illegality of his mailing

Please call me at (858) 277-3367 if you'd like me to provide any further information We look forward to your reply and your prompt investigation

Regards,

Jess Durfee
Chair
San Diego Democratic Party



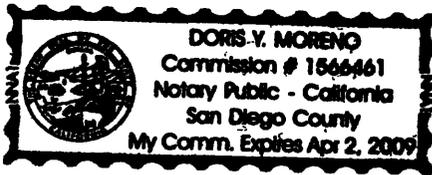
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of SAN DIEGO } ss.

On MARCH 23, 2006 before me, DORIS Y MORENO, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared JESSE L DURFEE
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

[Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document SAN DIEGO COUNTY DEMOCRATIC PARTY
Document Date 3/23/06 Number of Pages 1
Signer(s) Other Than Named Above N/A

Capacity(ies) Claimed by Signer

Signer's Name _____

- Individual
- Corporate Officer — Title(s) _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

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Dear Neighbor,

MUR # 5725

I am writing you a personal note today to ask you to vote for my husband, Eric Roach.

As we draw close to the April 11th "Special Election" for Congress, I'd like to challenge you to think about the values and attributes you would like in our new Congressman.

Is it important to you that our elected officials have our interests at heart; the interests of our families? Do you believe, as I do, that our elected officials should not be in the pocket of special interest groups?

Please know that my husband's campaign is more of a "grassroots" effort, in that he is ~~not a career politician and is the only~~ candidate who has pledged to not take any money from lobbyists, political action committees, or even politicians who have taken money from lobbyists or PAC's.

Many volunteers and great people are working alongside Eric, because they understand his vision and know that he is the right candidate for this election.

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Eric's business background, success, and life's experiences make him perfect to represent our district in Washington. WE NEED HIM! We need his attitude, passion, and his fresh voice. We need his spirit, enthusiasm, good decision-making skills, pro-active nature, and his ability to see the big picture and get things done.

Eric is a devoted husband and father of our five children. He strongly believes in the importance of family, and has always made family his first priority.

Like many in our area, Eric and I have been thoroughly dismayed at the way Congress has been acting of late. And, I am very proud that Eric decided to "step up" to the plate and do something about it. He believes in a limited government - that our government should be smaller and should spend less of our tax dollars. He has great ideas for reform, and will work to change the way our government is responsible to each of us; he can make it better!

I hope that you will vote for Eric Roach for Congress. I know he will be a Congressman we will be proud of!

Sincerely,

Meg Roach

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Meg Roach



[REDACTED]

[REDACTED]

Cardiff By The Sea, CA [REDACTED]

[REDACTED]