



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 12, 1976

AO 1976-35

Mark Weimer, Chairman
Citizens for Carter
P. O. Box 5401
New York, New York 10017

Dear Mr. Weimer:

This refers to your letter of June 20, 1976, requesting written confirmation as to whether the disclaimer proposed to be used by Citizens for Carter, a political committee, conforms to the requirements of the Federal Election Campaign Act of 1971, as amended (the "Act"). The disclaimer which the committee proposes to use reads as follows:

Citizens for Carter is an independent political action committee. It is not authorized by or affiliated with any candidate or political party in any way. Mark Weimer, chairman; Judy Carlson, treasurer. A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

The directives set forth in 2 U.S.C. §435(b) and 2 U.S.C. §441d are controlling. The use of the quoted disclaimer accords with §435b and also with §441d if there is no affiliation or connection with any organization which is required to be disclosed under 2 U.S.C. §433(b)(2). For your information we note that in proposed regulations recently given final approval by the Commission there is no requirement that names of committee officers be included in the disclaimer. In addition, the statutory language itself indicates that the statement of sponsorship and disclaimer is only required when a person "makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate through any broadcasting station,

newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising." In this connection the Commission has also concluded in proposed regulations that the statement of sponsorship and disclaimer is not needed on such types of political advertising as bumper strips, pins, buttons, pens, and similar small items on which it cannot conveniently be printed. See FEC Proposed Regulations §109.4 (copy enclosed).

The foregoing constitutes an advisory opinion concerning the application of a general rule of law stated in the Act to the specific factual situation set forth in your request. See 2 U.S.C. §437f.

Sincerely yours,

(signed)
Vernon W. Thomson
Chairman for the
Federal Election Commission

Enclosure