



FEDERAL ELECTION COMMISSION
Washington, DC 20463

July 30, 1976

Re: AOR 1976-39

Joseph E. Windmeyer, Esquire
Ungar, Dulitz, Jacobs & Manuel
324 Chartres Street – Suite 100
New Orleans, Louisiana 70130

Dear Mr. Windmeyer:

This responds to your letter of June 10, 1976, requesting an advisory opinion concerning the appropriate disclaimer to be displayed on the face of all literature and advertisements soliciting contributions, on behalf of the Moreau Congressional Campaign Committee (hereinafter Committee).

The Committee intends to raise funds by allowing individuals to write personal letters of solicitation using official campaign stationery. You have provided a copy of the Committee's stationery and ask whether the notice prescribed by 2 U.S.C. §435(b) is sufficient or whether the statement of authorization required by §441d needs to be added. In a recent telephone communication with a member of the Commission's legal staff you stated that the individuals making the solicitations on campaign stationery would be acting with the Committee's knowledge and authority.

It is the Commission's view that the statement of authorization required by 2 U.S.C. §441(d) must be displayed on campaign stationery that is used or direct mail political advertising that expressly advocates the election of a clearly identified candidate. See in this connection §110.11(a) of the Commission's proposed regulations (copy enclosed). Since the letterhead copy you provided adequately identifies the Committee, the only additional requirement is that the content of any message sent on the stationery must indicate that the sender is authorized by the Committee to make the communication.

This response relates to your opinion request but may be regarded as informational only and not as an advisory opinion since it is based in part on proposed regulations of the Commission which must be submitted to Congress. The proposed

regulations may be prescribed in final form by the Commission only if not disapproved either by the House or the Senate within thirty legislative days from the date received by them. 2 U.S.C. §438(c). It is the Commission's view that no enforcement or compliance action should be initiated in this matter if the actions of the political committee conform to the conclusions and views stated in this letter.

Sincerely yours,

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

Enclosure