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COMMISSION

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OFFICE OF GENERAL
COUNSEL

July 12, 2014

Federal Election Commission
Office of General Counsel
999 E. Street, N.W.
Washington, D.C. 20463

Re: REQUEST FOR ADVISORY OPINION - REVISED

Dear Sirs:

On June 17, 2014, a letter was sent to you requesting an advisory opinion from the Federal Election Commission concerning the application of the Federal Election Campaign Act of 1971 and regulations as to the giveaway of free items in connection with campaign donations. You asked that we review advisory opinions 2004-18, 2001-08 and 2011-02 which we have, and these show similar approval. Per our telecon on July 9, 2014, you requested a revision to the original request to add additional information. The content below is revised accordingly, and the additional items that you wanted included have been underlined along with a subsequent notation.

Joan Farr for U.S. Senate is the principal campaign committee of Joan Farr for election to the U.S. Senate in 2014. In 2003, Joan Farr (also known as Joan Heffington at that time) wrote a book called *TEN SECRETS You Must Know Before Hiring a Lawyer*. It was published by her non-profit organization, the Association for Honest Attorneys (A.H.A!) which she founded in April, 2003. The A.H.A! is a 501(c)3 non-profit corporation. Joan Farr has been the C.E.O. of the Association for Honest Attorneys since that time. The book was distributed for sale in book stores, but the A.H.A! received no orders from them. A contract between Joan Farr and the A.H.A! in 2003 stated that Ms. Farr would be paid \$20,000 in royalties from future donations received for writing the book; however, this never came to pass. She was never able to take a salary as C.E.O. due to the lack of sufficient donations and sales of her book. Even though the A.H.A! received donations under \$25,000 annually since 2003, they were audited

by the IRS in 2012. Documentation going back 10 years showed Ms. Farr is still owed in excess of \$387,000 by the organization. Ms. Farr has never received the designated royalties from her book. The A.H.A! has sold some books and quite often has given away free complimentary copies.

The Committee is proposing to give away during the campaign free complimentary copies of Ms. Farr's book to financial contributors of a certain amount. The Committee is also proposing to give away campaign tee-shirts to financial contributors in the same manner. The Committee will not sell the books or tee-shirts, or ask that they be purchased. It should be noted again that the publisher is the same non-profit organization that was founded by the candidate, and they do not want to lose their non-profit status. However, the Association for Honest Attorneys has been heavily targeted and retaliated against since its inception in 2003, and they are on the verge of going under anyway.

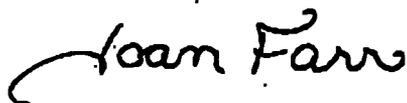
The Committee wishes to confirm that the transactions described above would not constitute a personal use of campaign funds by Joan Farr or a contribution by the Association for Honest Attorneys (A.H.A!) to the Committee. Neither Ms. Farr nor the A.H.A! will receive any proceeds from giving away the book. No royalties will result from the Committee's distribution of the book because the Committee does not plan to sell the book. The candidate will not receive any royalties generated by the committee's purchase of the book by the publisher. Also, the Committee wishes to avoid in-kind contributions from the publisher which is also the Association for Honest Attorneys (A.H.A!) since they are a non-profit organization. The usual and normal charge for the book was originally \$10.95, but was given away on numerous occasions by the A.H.A! in the past 11 years. The Committee will purchase copies of the books from the publisher at the same price that any other person would pay if they wished to purchase the same quantity of the book. If campaign funds allow, the Committee intends to purchase the remaining quantity of approximately 200 books at a discounted price of \$5.00 each.

Consideration of this request is greatly appreciated. Please note

that this request should be reviewed under Advisory Opinion 1995-46 which is similar. Your timely response within 20 days is desired, since campaigning is currently underway.

PLEASE NOTE: You stated per our telecon on July 9, 2014 that you could not provide an expedited response within 20 days because this request was not within 60 days of an election. However, the original request is dated June 17, 2014, you stated that you had received it on June 23, 2014, and the Oklahoma primary election was held on June 24, 2014. Therefore, this request is within 60 days of an election and your timely response within 20 days is still desired.

Sincerely,



Joan Farr
Joan Farr for U.S. Senate
P.O. Box 998
Broken Arrow, OK 74013