

OFFICE OF  
GENERAL COUNSEL

December 9, 2021

2022 JAN 10 PM 2: 07

Federal Election Commission  
Office of General Counsel  
1050 First Street, NE  
Washington, D.C. 20463

Re: REQUEST FOR ADVISORY OPINION

Dear Sirs:

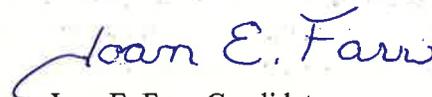
This letter is to request an advisory opinion from the Federal Election Commission concerning the application of the Federal Election Campaign Act of 1971 and regulations as to the giveaway of free items in connection with campaign donations. A similar request for this same book was submitted and approved under AO 2014-10 when the same candidate ran in 2014, and AO 1995-46 shows similar approval for this request.

Joan Farr for U.S. Senate KS and Joan Farr for U.S. Senate OK are the principal campaign committees of Joan Farr for election to the United States Senate in Kansas and Oklahoma in 2022. 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! operated as a 501(c)3 non-profit corporation up until April, 2019, when it was dissolved. Joan Farr had been the C.E.O. of the A.H.A! since that time and is currently semi-retired, but still does some pre-litigation consulting under the same name. Her book was distributed for sale on Amazon.com which currently shows out of stock; however, she personally has about 200 copies remaining. The A.H.A! had quite often given away free complimentary copies of this book in the past. During her 2014 campaign for election to the U.S. Senate in Oklahoma, the Committee intended to purchase the books but never actually did. When the A.H.A! dissolved, the remaining books became her own personal property.

Both of her Committees are proposing to give away during the campaigns a free complimentary copy of Joan Farr's book to financial contributors of a certain amount. The Committees will not sell the books or ask that they be purchased. It should be noted that the publisher is the same non-profit organization that was founded by the candidate and is no longer operating. The transactions described above would not constitute a personal use of campaign funds by Joan Farr, and she will not receive any proceeds from giving away the book. Furthermore, no royalties will result from the Committees' distribution of the book because they do not plan to sell the book.

The Committees wish to confirm that the proposed activity is permissible under the Federal Election Campaign Act. Your timely response in this matter is appreciated.

Sincerely,

Joan E. Farr, Candidate  
Joan Farr for U.S. Senate KS  
P.O. Box 14  
Derby, Kansas 67037  
Ph: 918.698.3289  
JoanFarr.comJoan E. Farr, Candidate  
Joan Farr for U.S. Senate OK  
P.O. Box 140284  
Broken Arrow, Oklahoma 74014  
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JoanFarr.com

**From:** [Joan Farr](#)  
**To:** [Joanna Waldstreicher](#)  
**Subject:** Re: request for advisory opinion  
**Date:** Wednesday, January 12, 2022 8:33:25 AM

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Joanna,

In response to your email, I would like to clarify as follows:

1. Yes, this is correct.
2. This is correct, but the committees will not be determining a specific amount. It will be as the spirit moves us, the amount is inconsequential.
3. The committees will not be determining whether to inform potential contributors about the books before they make a contribution. As I mentioned, we might just hand them out as stated in #2, "as the spirit moves us."

As we discussed over the phone, the request submitted was already revised a number of times back in 2020 so it should already be to your specifications as written. I was continually asked to revise it which took so long that it never received approval in time. If you could please expedite it this time since the Oklahoma primary is June 28, I would appreciate it. I look forward to hearing from you soon.

Thanks,

Joan Farr, Candidate  
U.S. Senate in KS & OK 2022  
918.698.3289

On Tue, Jan 11, 2022 at 1:15 PM Joanna Waldstreicher <[JWaldstreicher@fec.gov](mailto:JWaldstreicher@fec.gov)> wrote:

Dear Ms. Farr:

Thank you for speaking with me earlier today. As we discussed, I would like to verify my understanding of the information you provided. Please reply to this email to confirm the accuracy of the information below, or to clarify or correct any information as necessary. Your response will be posted on the Commission's website as part of your advisory opinion request.

1. You will not be selling or donating the books to your committees. You will be personally distributing the books to contributors.
2. Your request states that books will be given to “contributors of a certain amount.” That amount has not yet been determined.
3. You have not yet determined whether your committees will inform potential contributors about the books before contributions are made.

Regards,

Joanna S. Waldstreicher

Federal Election Commission

Office of General Counsel – Policy Division

1050 First Street NE

Washington, DC 20463

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