



FEDERAL ELECTION COMMISSION

Washington, DC

**MEMORANDUM**

**TO:** The Commission

**FROM:** Office of the Commission Secretary <sup>VFV</sup>

**DATE:** October 7, 2024

**SUBJECT:** AOR 2024-13 (DSCC, Montanans for Tester, and Gallego for Arizona) Comments from Dixon and Magnus

Attached are comments on AOR 2024-13 (DSCC, Montanans for Tester, and Gallego for Arizona) from David Dixon and Adam Magnus. This matter is on the October 10, 2024 Open meeting.

Attachment

**RECEIVED**

By Office of the Commission Secretary at 4:23 pm, Oct 07, 2024

**RECEIVED**

By Office of General Counsel at 4:05 pm, Oct 07, 2024

**Magnus Pearson Media  
Dixon/Davis Media Group**

October 7, 2024

Federal Election Commission  
1050 First Street, N.E.  
Washington, DC 20463

**Re: Television Ad Disclaimers; 2024-13**

Dear Commissioners,

We write as professional media consultants to provide real world perspective we believe is relevant to Draft A of Advisory Opinion 2024-13. Draft A says it would be “impracticable” to include a joint fundraising notice on a television advertisement. Together, we have a combined 40 years of experience writing and producing political campaign advertisements and we disagree. Including the fundraising notice is easy and no different than complying with the standard disclaimer requirements for a television advertisement. And in fact, media consultants routinely include a similar, if not larger, amount of text on television advertising to comply with state disclaimer requirements. In short, we can easily do this.

From a technical standpoint, adding the required fundraising notice onto a television advertisement requires nothing more than placing the text on the screen. Essentially, this is no different than complying with the existing “paid for by” and “stand by your ad” disclaimer requirements that apply to any television advertisement. All it requires us to do as consultants is add additional text. And as there is no limitation on the amount of text that can be displayed, there is nothing different, much less impracticable about it.

The Commission’s draft opinion says including the fundraising notice is impracticable by analogizing to internet advertising. However, the two mediums are not the same. Unlike a digital advertisement that is often static, a television advertisement offers a full thirty seconds during which a disclaimer can be included. While digital advertisements are often small because advertisers pay for only a small portion of a webpage, television advertising has no size constraint. It takes up the viewer’s entire television screen.

In short, adding a fundraising notice is simple and we can do it without any problem. Here are some examples of advertising in California and Massachusetts that include a similar amount– if not more- text than the fundraising notice would require:

[https://www.youtube.com/watch?v=i\\_W\\_ELMm52U&list=TL PQMDQxMDIwMjTemhNhNM AFJQ&index=1](https://www.youtube.com/watch?v=i_W_ELMm52U&list=TL PQMDQxMDIwMjTemhNhNM AFJQ&index=1)

<https://www.youtube.com/watch?v=6VfmubzGGo8>



AD PAID FOR BY COMMUNITIES UNITED FOR BASS FOR LA MAYOR 2022,  
4858 W. PICO BLVD. #738, LOS ANGELES. Committee major funding from:

JEFFREY KATZENBERG

DIGNITY CA SEIU LOCAL 2015

SEIU LOCAL 721 CTW, CLC WORKERS' STRENGTH COMMITTEE  
IN THE AMOUNT OF \$2,751,000

ADDITIONAL INFORMATION IS AVAILABLE AT [ETHICS.LACITY.ORG](http://ETHICS.LACITY.ORG).

Not authorized by or coordinated with a City candidate or a  
committee controlled by a candidate.

A political advertisement for Michelle Wu. The background is purple. The text "VOTE" is in white, followed by "MICHELLE WU" in large white letters, and "FOR MAYOR" in white. To the right is a photo of Michelle Wu. Below "MAYOR" is the text "TUESDAY NOV. 2ND" in yellow. In the bottom left is a photo of a man. In the bottom right, a white box contains the following text: "Paid for by Boston Turnout Project Independent Expenditure PAC. Top Contributors: Green Advocacy Project, Jay Cashman, Paul and Mary Lee, Wai Yan Sandy Chau. For more information regarding contributors, go to [www.ocpf.us](http://www.ocpf.us)."

Sincerely,

David Dixon  
Dixon Davis Media Group

Adam Magnus  
Magnus Pearson Media