

RECEIVED  
FEDERAL ELECTION  
COMMISSION

Jason Lee Childers

Stone Mtn. GA, 30087

2010 MAR 18 AM 11:44

OFFICE OF GENERAL  
COUNSEL

12. March 2010

Office of General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

MUR # 6265

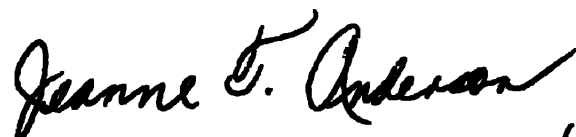
To Whom It May Concern:

I am writing this letter to inform you of, what I believe, a violation of your election rules. On the evening of March 5th, I attended the a debate hosted by The Sons and Daughters of the Founding Father. At the debate, one of the many candidates to speak and hand out information was Larry Gause, the respondent, running for Georgia's 4<sup>th</sup> Congressional District. After looking over the push card the respondent had placed out, I noticed that they did not say who paid for them. Upon going to the respondent's web-site, there is no disclaimer on it either. It is my understanding that all campaign advertising, to include push cards and web-sites, are required to have the name of the campaign committee, and disclaimer. I have included one of the push cards in question for your evaluation. Thank you for reviewing this matter.

Sincerely,

  
Jason Lee Childers

Enclosure



Subscribed and sworn before me on the day 12<sup>th</sup> day of March 2012.

JEANNE T. ANDERSON  
NOTARY PUBLIC, GEORGIA  
MY COMMISSION EXPIRES MAY 31, 2011

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## How and Where must the Disclaimer Appear?

In order to give the reader sufficient notice about the person(s) paying for or authorizing a public communication regardless of its medium, the disclaimer notice must be "clear and conspicuous" on the committee's communications, solicitations and response materials. The notice will not be considered to be "clear and conspicuous" if:

It is difficult to read or hear; or

The notification is placed where it can be easily overlooked.

11 CFR 110.11(c)(1).

Additional requirements are described below.

### Printed Materials

On printed materials, the disclaimer notice must appear within a printed box set apart from the other contents in the communication. The print must be of a sufficient type-size to be clearly readable by the recipient of the communication, and the print must have a reasonable degree of color contrast between the background and the printed statement. 11 CFR 110.11(c)(2)(i), (ii) and (iii).

#### ***Example:***

Paid for by the Save the Seahorses  
Committee and authorized by  
the McKay for Senate Committee.

As long as the disclaimer appears somewhere within the communication it does not have to appear on the front page or cover of multiple-paged documents. However, in the case of single-sided documents and billboards, the disclaimer must appear on the front. 11 CFR 110.11(c)(2)(iv).

#### ***Safe Harbor for "Clearly Readable"***

The regulations contain a safe harbor that establishes a fixed, 12-point type size as a sufficient type size for disclaimer text in newspapers, magazines, flyers, signs and other printed communications that are no larger than the common poster size of 24 inches by 36 inches. 11 CFR 110.11(c)(2)(i). Please note, disclaimers for larger communications will be judged on a case by case basis.

#### ***Safe Harbor for "Reasonable Degree of Color Contrast"***

The regulations additionally provide two safe harbor examples that would comply with color contrast requirement:

The disclaimer is printed in black on a white background; or

The degree of contrast between the background color and the disclaimer text color is at least as great as the degree of contrast between the background color and the color of the largest text in the communication.

11 CFR 110.11(c)(2)(III)-4

### **Packaged Materials**

When communications are distributed in a package or as a group, the distributing entity must evaluate each item separately in order to determine whether a disclaimer notice is required on that item. A message or ad that would require a disclaimer notice if it were distributed separately must still display the notice when it is included in a package of materials. 11 CFR 110.11(c)(2)(v). Example: A campaign poster is mailed with a campaign brochure and solicitation letter. A disclaimer notice must appear on each of these items.

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*a man with a cause.*

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CONGRESSIONAL DISTRICT**

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- "Reads the Bill before voting"
- "Votes either Yes or No, but not Present"
- "Promotes Free Market Solutions"
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- "Enforce Immigration Laws"
- "Secure our Borders"
- "End welfare entitlements for illegal aliens"
- "Representing the People's Wishes"
- "Common Sense Solutions"

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