



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

March 20, 2025

Mr. Saurav Ghosh  
Ms. Shanna Ports  
Mr. Adav Noti  
Ms. Erin Chlopak  
Campaign Legal center  
1101 14<sup>th</sup> Street, NW, Suite 400  
Washington, DC 20005

Dear Messrs. Ghosh and Noti and Mmes. Ports and Chlopak:

This responds to your letter, dated March 10, 2025, requesting an advisory opinion on behalf of Campaign Legal Center. Your letter asks the Commission to evaluate whether the potential application of Section 7 of Executive Order 14215 to the Federal Election Campaign Act (the “Act”)<sup>1</sup> “permits [Campaign Legal Center] to file a complaint with the FEC . . . alleging violations of [the Act], notwithstanding a contrary view of the law by the President or Attorney General.” Your letter further asks the Commission to “confirm that [the Act] remains operational” because of purported limitations on the authority of the President and Attorney General.

As explained further below, this office has determined that your letter does not qualify as an advisory opinion request. According, this is the only response that you will receive.

The Act and Commission regulations authorize the Commission to issue an advisory opinion concerning the application of the Act or Commission regulations “to a specific transaction or activity that the requesting person plans to undertake or is presently undertaking and intends to undertake in the future.”<sup>2</sup> The request must include “a complete description of all facts relevant to the specific transaction or activity” at issue.<sup>3</sup> Inquiries that are incomplete, present a general question of interpretation, pose a hypothetical situation, or concern the activities of third parties do not qualify as advisory opinion requests.<sup>4</sup> This office determines whether a request is incomplete or otherwise unqualified.<sup>5</sup>

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<sup>1</sup> 52 U.S.C. §§ 30101-45.

<sup>2</sup> 11 C.F.R. § 112.1(b); *see also* 52 U.S.C. § 30108(a).

<sup>3</sup> 11 C.F.R. § 112.1(c); *see also* 52 U.S.C. § 30108(a).

<sup>4</sup> 11 C.F.R. § 112.1(b), *see also* 52 U.S.C. § 30108(a).

<sup>5</sup> 11 C.F.R. § 112.1(d).

Your letter does not qualify as an advisory opinion request because it presents a general question of interpretation, poses a hypothetical situation, concerns the activities of third parties, and does not include a complete description of all relevant facts. For example, you ask specifically “whether section 30109(a)(1) permits CLC to file a complaint with the FEC, under penalty of perjury, alleging violations of the Act, ***notwithstanding a contrary view of the law by the President or Attorney General.*** . . .” The “notwithstanding” clause is central to your question. Though framed as a question about the Act, it requires an analysis of how the Executive Order applies to the Act, not how the Act applies to any “specific transaction or activity,” 52 U.S.C. § 30108(a)(1), by CLC. It is therefore not a proper subject for an advisory opinion under the statute. Moreover, it is hypothetical, because you identify no specific contrary interpretation of the Act offered by the President or the Attorney General, and we are to date aware of no such interpretation. Additionally, questions regarding the authority, or limitations on the authority, of the President and Attorney General are outside of the Commission’s jurisdiction and not the proper subject of an advisory opinion request.

Accordingly, pursuant to 11 C.F.R. § 112.1(d), this office has determined that your letter does not qualify as an advisory opinion request.

Please note that the Commission does not make information regarding pending enforcement actions public absent the respondents’ written consent.<sup>6</sup> Accordingly, any such information must be removed from an advisory opinion request or authorized in writing by the respondents before the request will be deemed complete and posted on the Commission’s website as required by the Act and Commission regulations.<sup>7</sup>

Sincerely,

*N. Stipanovic*

Neven Stipanovic  
Associate General Counsel

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<sup>6</sup> See 11 C.F.R. § 111.21; 52 U.S.C. § 30109(a)(12).

<sup>7</sup> 52 U.S.C. § 30108(d); 11 C.F.R. § 112.2.