

# Memorandum

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Date : Oct. 14, 1976

*m-76-527*

From : FAIR POLITICAL PRACTICES COMMISSION  
 Ken Finney  
 Subject: Response Letters Categories

It was decided during the opinion request meeting of October 8, 1976, that another category of response letters would be created. This new category would be letters which provide advice but are not sent pursuant to 2 Cal. Adm. Code Section 18329 and would be used in those instances where the identity of the requestor is not disclosed. Since the letters will not be sent pursuant to 2 Cal. Adm. Code Section 18329, in each such piece of correspondence it will be necessary to include a disclaimer with respect to any immunity being provided by reason of the letter. In addition, we will determine whether to respond to letters in which the identity of the requestor is not disclosed on a case by case basis.

This will be in contrast to our other categories of response letters, letters denying requests for opinions, letters providing informal advice pursuant to 2 Cal. Adm. Code Section 18329, and letters providing interim advice pending issuance of an opinion. With respect to these types of letters, we will require that the requestor disclose his or her identity and we will not respond unless this is done. The rationale for this is that if we are going to provide immunity, even in the limited form established by 2 Cal. Adm. Code Section 18329, we should know the identity of the requestor.

KF:jo