

Procedures for Obtaining a Franking Staff Advisory Opinion

I. SUBMITTING A REQUEST

A. Prepare in as close as possible to final format an electronic draft of the material to be submitted for review.

Electronic draft file should include, as applicable:

1. Complete and formatted text in actual size and color(s);
2. All photographs (official head shot of Member of Congress [MC] does not require a caption; for all other photos in which the MC appears, the official business being conducted by the MC as depicted in the photo must be explained in the accompany text or corresponding caption/cut line);
3. All illustrations, charts, and/or other graphics;
4. The banner head (if a newsletter, news release, etc.);
5. Mailing panel, including the MC's frank and the applicable USPS rate marking; and
6. If a mass mailing, the mass mail statement: "This mailing was prepared, published, and mailed at taxpayer expense"; and
7. Complete and formatted copy of all enclosures, attachments, etc.

B. Submit the request electronically via <https://frankingrequests.house.gov>

1. Click the "New Request" button;
2. Complete all applicable fields on:
 - Step 1: Request Form tab with details about the request:
 - a. Your contact info (auto-filled into the top section);
 - b. Enter a title (formatted in the following manner: Material Type: Description of request);
 - c. Complete the Mass Mailing or Mass Communication section (or both) as applicable;
 - d. Choose an Issue Type that best represents the content of the request; and
 - e. Upload draft file (only one file may be uploaded, so materials must be combined into a single file).
 3. Certify all applicable statements on:
 - Step 2: Franking Certification tab:
 - a. Select the "Click to Certify" box to confirm the "General Certification" statements are true;
 - b. Select the "Click to Certify" box to confirm the "Election Blackout Certification" statement is true;
 - c. Certify that you are authorized to submit the request on behalf of your Member, and that all info is accurate and correct;
 - d. Click "Submit Request" to complete the submission.

II. REVIEW OF AN ADVISORY OPINION REQUEST

A. Upon receipt of the request, the Commission staff reviews the material for compliance with applicable statute, rule, and precedent. After recording their comments, the staff then forwards the material to the Commission staff of the other political party.

B. After each side has reviewed the material, the Commission staff will contact the POC to advise whether or not the material has been deemed compliant with franking requirements.

III. NOTICE OF APPROVAL OR REVISIONS

A. If deemed **compliant**, the Commission staff:

1. Provides notice to the POC of the "preliminary authorization," i.e., authorization to print and/or distribute/disseminate the communication. (*Note: Notice of the Preliminary Authorization to the POC is by e-mail; the requesting office **should not print or distribute the material under review prior to having received notice of the preliminary authorization.***)
2. The Preliminary Authorization will outline the process of receiving the Final Advisory Opinion.

B. If deemed **non-compliant**:

3. The Commission staff will notify the POC of the revisions required to bring the material into full compliance with the applicable statutes, rules, and precedents;
4. The requesting office uploads a revised draft to the staff of the Commission:
 - a. When uploading: open the original request, click on the "Submission" tab, and click "Add Revision" to upload the revised draft.
5. Each side of the bipartisan commission will once again review the material for compliance;
6. After the review, staff contacts the POC to advise whether or not the material has been deemed compliant:
 - a. If the revised material is deemed **compliant**, the Preliminary Authorization is issued as outlined in Section III, A.
 - b. If the revised material is deemed **not compliant**, step III, B is repeated until the material is revised to the point that it can be deemed Frankable.

IV. OBTAINING THE FINAL ADVISORY OPINION

A. When a final copy of the distributed material becomes available, the Member Office will certify to the Franking Commission that the final piece as distributed is identical to the approved draft request:

1. Log on to <https://frankingrequests.house.gov>
2. Double click to open the correct job for which you are seeking the Final Advisory Opinion;
3. Click on the "Advisory" tab;
4. Click to certify that the final piece as distributed is identical to the request as approved;
5. Click the job listed next to "Advisory Opinion" to view the Final Advisory Opinion.

B. **IMPORTANT NOTE:** The responsibility lies with the Member Office to accurately and honestly certify that the piece distributed is identical to the piece approved by the Commission. If for any reason they are not identical, please contact the Commission for further guidance.

C. Upon certification by the Member Office that the piece distributed is identical to the piece approved, a copy of the Advisory Opinion will be available electronically for the Member Office. This Advisory Opinion can then be printed by the Member office for:

1. Submission to the Finance Office for payment of invoices/vouchers as needed
2. Retention for their records

D. The Final Advisory Opinion will also be retained in the following locations:

1. Retained in the permanent file of the Commission maintained by the majority office of the Commission;

2. Retained in the file maintained by the minority office of the Commission; and
3. Forwarded to the Legislative Resource Center to be made available for public disclosure purposes.

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