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April 3, 1996

VIA FEDERAL EXPRESS

N. Bradley Litchfield, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: Advisory Opinion
Request 1996-11

Supplement To
AOR 1996-11

Dear Mr. Litchfield:

This letter is in response to your letter dated March 29, 1996, requesting further information regarding the above-referenced advisory opinion request ("AOR"). The advisory opinion request relates to new FEC regulations possibly governing appearances and speeches by candidates for federal office at the June 1996 Convention of the National Right to Life Conventions, Inc. ("NRLCI"). This response provides the requested information.

REQUEST #1

1) Explain and give examples of the types of events referred to in paragraph 29 of your letter, which you indicate will be sponsored and funded by the campaign committees of the candidate speakers, and which will take place at the convention site, but which will be separate from the NRLCI-sponsored convention. Also state when these events will take place.

RESPONSE #1

An example of the type of events referred to in ¶ 29 of the AOR would be a meet-the-candidate reception (or meeting) or a hospitality suite maintained near the convention by a campaign committee. At such an event, a room at the convention hotel would be rented by a campaign committee where people could come meet a candidate or his or her representative and pick up campaign materials. The room might be open for a short meeting or remain open for an extended period of time during the Convention. A specific example would be the 1995 Convention at which the Phil

Gramm presidential campaign rented a room in the same hotel for one day and provided refreshments and campaign literature.

NRLCI does not know of any campaign committees which plan to rent their own room at the 1996 Convention for such an event, but, since the arrangements are made privately with the hotel, such an arrangement could have been made already without NRLCI knowledge or could yet be made prior to the 1996 Convention.

The presence and purpose of the campaign committee's rented room and the hours of operation could be advertised by an advertisement paid for by the campaign committee in the program book to be published for the 1996 Convention (at the same price that other advertisers are charged). Another way in which a campaign could promote its candidate would be by renting a booth (at the same price as other exhibitors) in the exhibit hall at the Convention, from which the campaign could distribute campaign literature and literature advising of the time and place of any receptions or meetings at rooms privately rented by campaign committees during the Convention. As a factual matter, no campaign committees have rented booth space for the upcoming Convention and all booth spaces have been rented.

REQUEST #2

2) Explain the scope of the representation you make in paragraphs 21, 22, 24, 25, and 26 to the effect that there will be no advocacy of the election or defeat of any candidate, no distribution or display of campaign materials and no appeals for contributions or other electoral support. Do these statements apply only during the candidates' speeches, or do they apply for the duration of the convention, including during the events sponsored by the campaign committees at the convention site?

RESPONSE #2

During any event sponsored by NRLCI at the 1996 Convention there will be no express advocacy of the election or defeat of a clearly identified candidate. This includes the speeches of any candidate speaker at the Convention and throughout the duration of the Convention. However, at any event sponsored by a campaign committee (or sponsored by an individual or PAC) in facilities paid for by such a committee, those sponsoring that event may expressly advocate the election of their candidate(s) or the defeat of another candidate(s) both orally and in written literature at that event.

REQUEST #3

3) If the Presidential candidate/incumbent Member of Congress referred to in paragraph 10 of your letter sends a representative to appear and speak on his behalf, will his representative be a member of his legislative staff or a campaign worker? If neither, describe the status of the representative who will appear?

RESPONSE #3

The candidates may send whomever they wish as their representatives (including family members, friends, staff members, or campaign staff members) in the candidates' sole discretion. NRLCI has no idea at this point who will be coming in response to their invitations to the candidates or their representatives. The sole criterion will be that the candidate or representative address issues and not engage in any express advocacy of the election or defeat of any clearly identified federal candidate.

REQUEST #4

4) Provide samples or copies of speech transcripts (including any video or audio tapes) for any appearance of a Federal candidate at any recent national convention previously held by NRLCI. Describe the extent to which the expected speeches of Federal candidates (or their representatives) at the June 1996 convention will be similar to or different than those delivered at such past appearances.

* **RESPONSE #4**

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NRLCI provides the audio and video tapes listed below. Any speeches made this year will be similar to these prior tapes with respect to their focus on issues and avoidance of any express advocacy of the election or defeat of any clearly identified federal candidate.

1. #54 Int'l Abortion Network & Mexico City Policy, National Right to Life Convention 1989 (Minneapolis), workshop presentation by Congressman Chris Smith.
2. #41 G.S. Back to the Future: Post Roe Strategy, National Right to Life Convention 1989 (Minneapolis), general session presentations by Congressman Henry Hyde, Congressman Jim Oberstar, and Congressman Christopher Smith.

REQUEST #5

5) Will there be a question and answer session in conjunction with the candidates' speeches? If so, will members of the audience be able to ask questions? Will the news media also be able to ask questions of the speaker? Will a representative of NRLCI screen, moderate or comment on the questions?

RESPONSE #5

If a speaker speaks at a general session, there will be no opportunity for audience questions. If a speaker speaks at a workshop, there will be opportunity for questions from the audience, including any news reporters present. News reporters often hold their own interviews with candidates on Convention premises and during Convention hours, as the candidates are en route to and from speeches, over which NRLCI exercises no control. Speakers at workshops, including candidates, answer questions directly from the audience without any screening or commenting by NRLCI employees or agents acting as moderators. While scheduling and invitation responses are not finalized, it is anticipated that any candidate invited to speak would speak at a general session.

REQUEST #6

6) State whether NRLCI expects to make video and audio tapes of the candidate appearances described in paragraphs 7, 8, and 10 of your inquiry. If so, describe the policy and practice of NRLCI with regard to making a copy of such tapes available to the candidates who appear, or to any other entity who may request them. Your answer should include an explanation of what restrictions or conditions, if any, NRLCI would place upon the use of such tapes by the candidate recipient or any other recipient.

RESPONSE #6

NRLCI makes audio tapes of all speaking events, both general sessions and workshops. NRLCI makes video tapes of all major speeches at general sessions. Thus, both audio and video tapes would be made of any speech by a candidate for federal office. Each speaker is given a copy of the audio tape of the speaker's speech, and the audio tapes are sold at the Convention at a fair market value. Video tapes are not routinely given to speaker or sold at the convention. However, if any speaker were to request

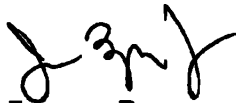
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a copy, the speaker would be provided a copy. Additionally, both audio and video tapes would be generally available for purchase by interested parties. No restrictions are placed on the use of any audio or video tapes, other than the requirement that they not be reproduced for sale.

Thank you for promptly advising us of your further questions. We believe this responds fully to your request and provides sufficient information for an advisory opinion. However, if you have any further questions, please contact us promptly so that we may complete this process as soon as possible.

Sincerely,

BOPP, COLESON & BOSTROM

A handwritten signature in black ink, appearing to read "James Bopp, Jr.", written in a cursive style.

James Bopp, Jr.
Richard E. Coleson