

**MASSEY SHOWALTER & MARSH**A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW1100 THE DENVER CLUB BUILDING  
518 SEVENTEENTH STREET  
DENVER, COLORADO 80202  
TELEPHONE: (303) 992-1100  
TELEFAX: (303) 992-7998

February 18, 1992

N. Bradley Litchfield, Esq.  
Associate General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20643Supplement TO  
AOR 1991-32

Re: AOR 1991-32

**VIA FACSIMILE AND FEDERAL EXPRESS**

Dear Mr. Litchfield:

After reviewing previous correspondence from CEC, Inc. (the "Company") to the Federal Election Commission (the "Commission") in connection with the Company's request for an advisory opinion and after again listening to a tape of that portion of the Commission's November 13, 1991 meeting (the "November Meeting") which considered the Company's request, the Company believes that the Company's policy regarding candidate selection needs to be clarified: The Company does not intend to recruit candidates.

During the November Meeting, some members of the Commission commented that the Company seemed more like a political party than a private sector business. One of the factors which apparently led to such a conclusion was a mistaken impression that the Company intended to recruit candidates across the country. The Company regrets that the information contained in its request for an advisory opinion dated August 1, 1991, and the supplemental letter dated September 20, 1991, led to such an erroneous conclusion.

The Company has no plans to recruit candidates for federal office. Instead, the Company, like other political consulting firms, intends to solicit business from and market its services to those persons who either are announced candidates or have expressed interest (or are believed to have an interest) in becoming candidates. The fact that the Company has decided to limit its candidate-client representation to certain types of candidates, i.e., non-incumbent, conservative philosophy, electable and oriented to a grass roots campaign, should not be considered as candidate recruitment; most political consulting firms limit their representation of candidate-clients to those of one particular party or political philosophy.

The Company's personnel will attempt to identify the type of candidate-client that the Company seeks to represent through a combination of procedures, including staff review of print and electronic media, utilization of political contacts and informal communications with the Republican Party and other political organizations. Once the Company has identified the candidates or potential candidates it wants to represent, the Company will market its services to such persons. The Company's marketing strategies will include oral and written communications from the Company and may involve communication from the Company's political contacts.

**MASSEY SHOWALTER & MARSH**

Letter To

N. Bradley Litchfield, Esq.

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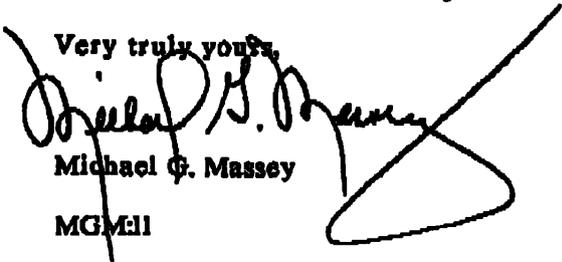
Based upon the foregoing summary, the Company hopes that it has made its policy clear: it does not intend to recruit candidates, but it does intend to aggressively solicit from and market its business to potential candidate-clients whom it seeks to represent.

In addition to the clarification initiated by the Company with respect to client representation procedures, the Commission's staff inquired as to whether the Company still plans to orally solicit potential contributors for permission to be included on the Company's Donor List. Subject to receipt of the Commission's advisory opinion, the Company believes that the issue of possible oral solicitation as been addressed in the information contained in the Company's advisory opinion request, as supplemented.

To summarize the Company's position, it prefers to solicit potential contributors through written communications. Such solicitation is more efficient and less expensive. On the other hand, the Company understands that its concept of focusing financial resources in connection with direct mail fundraising is somewhat unconventional and may not be easily understood. Accordingly, the Company's management believes that it should retain the flexibility to orally solicit potential contributors if necessary. The Commission should note, however, that no oral solicitation made in connection with the development of the Company's Donor List will advocate the election or defeat of any clearly identified candidate. Oral solicitations will focus on the Company's plan to represent conservative candidates and the concept of focusing financial resources.

If additional information regarding the foregoing matters or any other issue set forth in the Company's request for an advisory opinion, as supplemented, is needed by the Commission or its staff, please contact me at your convenience. As always, your cooperation is appreciated.

Very truly yours,

  
Michael G. Massey

MGM:ll

cc: CEC, Inc.  
Donald Lansky, Esq.