



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

RECEIVED
F.E.C.
SECRETARIAT

93 NOV 12 AM 10:12

November 10, 1993

The Honorable Ben Nighthorse Campbell
United States Senate
Washington, DC 20510-0605

Request for Additional Inform

Re: AOR 1993-20

Dear Senator Campbell:

This refers to an October 27, 1993, telephone conversation with staff from your office regarding additional information required by the Office of General Counsel in order to process your October 21, 1993, advisory opinion request. Accordingly, this office requests that you provide responses to the questions set out below.

(1) Your request states that the publisher of your biography would sell copies of these books at a discount rate, essentially the rate afforded to bookstores. Please state the nature of this specific discount rate. Explain whether, for example, it is offered to all individuals who are the subjects of biographies by the publisher or whether it is being offered only in this special circumstance to your committee.

(2) Your request states that it is your desire to have your campaign purchase several books and included in that order would be a number of books desired by your personal staff or family. Regarding these latter purchases, please state whether campaign funds would be used to make the initial purchase and, if so, whether the campaign would be repaid by the personal staff or family members who receive the books.

(3) Your request also states that you are hopeful that the number of books so ordered would be over 100 in order to qualify for the discount. If possible please state the number of books your committee wishes to purchase for its own use and the extent to which your committee will, on its own, be able to order sufficient books to qualify for the discount.

Letter to Senator Campbell
Page 2

Upon receipt of your responses to the questions, this Office and the Commission will give further consideration to your request. If you have any questions concerning this letter or the advisory opinion process, please contact the undersigned.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


N. Bradley Litchfield
Associate General Counsel

United States Senate

WASHINGTON, DC 20510-0605

RECEIVED
F.E.C.
SECRETARIAT

November 10, 1993 93 NOV 15 PM 3:33

93 NOV 15 PM 2:27

RECEIVED
FEDERAL ELECTION COMMISSION

The Honorable Scott Thomas
Chairman,
Federal Election Commission
999 E Street, N.W.
Room 910
Washington, D.C. 20463

Supplement To
AOR 1993-20

Dear Mr. Thomas:

This letter is in response to questions posed by staff of the FEC in light of my letter dated October 21, 1993, requesting an advisory opinion.

I will try to respond to the inquiries as best I can. Please consider this letter a supplement to my October 21 request.

The question was asked how the proposed book purchases would be paid for. The order for book purchases is intended to be a combined campaign/staff order (that is, one unified book order will be made). The current order will be for 175 books: the campaign will purchase 100 books and the remaining 75 have been ordered by current Campbell Senate staff. I must stress that no staff have been requested by myself, the author, the publisher, or anyone to purchase any book -- every order by staff is completely voluntary on their part.

The second question concerns the discount off the retail price of the book that is being offered by the publisher. Attached is a copy of the letter I have received from Random House, Inc. describing the discount policy. What is contemplated is that the one purchase order for 175 books will result in a 50% discount off the \$24 retail price of each book.

Finally, while it seems it is now largely a moot point, since it appears my staff is going ahead and purchase the books themselves, I would still like to pose this additional question and ask that it be answered as part of the advisory opinion. Would my campaign committee be able to give my past and current congressional staff members books, free of charge to them? I have some current staff members who were volunteers or paid workers on my 1992 Senate campaign, and thus the gifts could be considered "thank you's" to those campaign workers who are now congressional staff members.

A little over half of my current staff, however, are staffers who have been with me prior to my Senate race, in many cases since my first congressional race in 1986, and those who have been recently hired who have had no connection at all with my campaigns or previous congressional service. Would the campaign be permitted to give copies of my biography to these staff members?

I hope the above information answers the FEC's questions. I look forward to your response.

Sincerely,



Ben Nighthorse Campbell
U.S. Senator

BNC/k11



RANDOM HOUSE, INC.

201 EAST 50TH STREET, NEW YORK, N.Y. 10022
TELEPHONE 212 751-2600

November 5, 1993

Senator Ben Nighthorse Campbell
380 Russell Senate Office Building
Washington, DC 20510

Dear Senator Campbell:

Your editor, Steve Topping, has informed me that there are organizations interested in purchasing copies of the book, **BEN NIGHTHORSE CAMPBELL**, for use in fundraising programs. We would consider such purchase(s) as Premium Sales, and the enclosed discount schedule would apply to any organization or corporation in this case. Please know that this particular discount schedule is not applicable to other types of customers (retailers, wholesalers, direct response marketers, etc.).

The retail price is currently \$24.00, and the discount applies per purchase order. Terms of sale are nonreturnable, net 30 days, FOB Maryland.

We are currently considering a reprint of this book, so please know that I would be especially interested to hear of a potential purchase as soon as possible. I can be reached at 212-572-2460 or by FAX at 212-572-4961.

Please do not hesitate to call if you have any questions, or if I can be of assistance.

Sincerely,

Robin Strashun
Director of Marketing
Special Markets

RS:bas
encl.

cc: Steve Topping, Crown Editorial
John Groton, Director of Premium Sales



RANDOM HOUSE, INC.

PREMIUM DISCOUNT POLICY

All discounts are based on assorted titles. All sales are non-returnable.

Random House, Alfred A. Knopf, Clarkson N. Potter, Crown Publishers, Fodor's, Harmony, Orion, Prince Paperbacks, Dilithium Press, Pantheon, Reference, Schocken, Times Books, Turtle Bay Books, Vintage, Villard, Juvenile Merchandise (except for Happy House-see below), Random House Audiobooks, Sound Editions, Living Language, David McKay.

Quantity	Discount
10-49 copies	30%
50-99 copies	35%
100-499 copies	50%
500-999 copies	55%
1,000 copies & up	60%

Note: 5,000 or more per title...Inquire in writing for quotations that may involve print run quantities.

Happy House

10% off net price on all orders regardless of quantity

All Video Product

Quantity	Discount
10-99 copies	43%
100-999 copies	45%
1,000 copies & up	55%

Note: 5,000 or more per title...Inquire in writing for quotations that may involve print run quantities.

Outlet Book Company, Inc. **(Including Anything Books)**

Quantity	Discount
1-19 copies:	30%
20 copies & up	50%

Note: 5,000 or more per title...Inquire in writing for quotations that may involve print run quantities.



RANDOM HOUSE, INC.

Ballantine Books, Del Rey, Fawcett, Ivy

Quantity	Discount
10-49 copies:	30%
50-99 copies:	35%
100-499 copies	50%
500-999 copies:	55%
1,000 copies & up	60%

Note: 5,000 or more per title...Inquire in writing for quotations that may involve print run quantities.

DISTRIBUTION LINES DISCOUNT POLICY

Reader's Digest, Sierra Club, Shambhala

Quantity	Discount
5-24 copies	40%
25 copies and up	50%

Terms: All orders are F.O.B. publisher's warehouse and will be sent the cheapest way unless otherwise indicated by you. Payment is 1/10 EOM, Net 30. All sales are non-returnable. Premium sales are not eligible for co-op advertising.

Drop-Shipping: Upon request, we will consider drop-shipping to your customers at a handling charge of \$1.00 per label plus the cost of postage. We request that you batch drop shipments in minimum quantities of 25 and that each be accompanied by a fully addressed (including return address), self-adhesive label (in duplicate if you wish confirmation of shipment returned to you).

Use of books: The foregoing discounts are available only for purchases of books to be sold or given away as premiums to promote other products or services. Some titles are not available for such use. Orders must be accompanied by a letter describing the proposed promotion. The prices of any books that are resold through other channels will be adjusted to conform to Random House's applicable wholesaler or retailer discounts.

EFFECTIVE JANUARY 1, 1993