

ROBERT ALAN DAHL, ESQ.

1156 FIFTEENTH STREET, N.W., SUITE 550
WASHINGTON, D.C. 20005
TEL 202/466-8051
FAX 202/828-5625

November 23, 1998

Jennifer H. Boyt
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4823

Dear Ms. Boyt:

This letter responds to the complaint filed with the Federal Election Commission in Matter Under Review (MUR) 4823. This response is on behalf of 1) Friends of Newt Gingrich and Briggs A. Goggans, as treasurer, 2) GOPAC, Inc. (GOPAC-Federal), and Anthony Moonis, as treasurer, 3) Monday Morning PAC, and Trudy Matthes Barksdale, as treasurer, and 4) the Hon. Newt Gingrich. Enclosed are affidavits signed by the treasurers of the three respondent political committees, and copies of samples both of fundraising solicitations and of followup requests for contributor information from the committees.

It should be obvious to the Commission that the complaint was filed by the complainant in the closing days of his losing campaign for Congress and was wholly motivated by politics.

It should also be obvious that the Hon. Newt Gingrich would have no personal knowledge, involvement or responsibility regarding the recordkeeping or reporting practices of the three committees named in the complaint. The Commission should clearly dismiss this matter as to Mr. Gingrich personally.

As the statements and samples provided by the treasurers of the respondent committees demonstrate, these committees have followed the "best efforts" rules applicable for the time frames identified in the complaint. Current FEC regulations provide at 11 CFR §104.7(a) that reports of committees that have made "best efforts" to obtain, maintain and submit the required contributor information are considered in compliance with the Federal Election Campaign Act.

It is apparent the complainant spent an enormous amount of time and energy in his research. However, the voluminous data submitted with the complaint proves nothing that undermines the safe harbor permitted political committees that follow the Commission's "best efforts" rules (which the complainant dismisses as merely "a technically acceptable process"). Contrary to complainant's assertions, but accepting his calculations as true for the sake of argument only, these committees' inability to provide occupation and employer information for roughly 15% of those donors from which it was requested over a twenty year period -- while unfortunate -- does not rise to the level of any presumptive failure by them to exercise "best efforts."

MUR 4823
November 23, 1998
Page 2

The Commission routinely conserves its limited enforcement resources and declines to proceed in cases in which the complaint is factually or substantively inadequate. The complaint in this matter is entirely unfounded in fact and law. On behalf of the respondents, I respectfully request the Commission find no reason to believe any violations of the FECA occurred with respect to this matter or, absent such a finding, take no action as to MUR 4823.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert Alan Dahl", written in a cursive style.

Robert Alan Dahl

2025 RELEASE UNDER E.O. 14176

— Friends Of —
NEWT GINGRICH
BEFORE THE FEDERAL ELECTION COMMISSION

AFFIDAVIT OF BRIGGS A. GOGGANS

Briggs A. Goggans states the following on information and belief, and to the best of his personal knowledge, as to facts and circumstances related to Matter Under Review 4823:

1. I have served as treasurer of Friends of Newt Gingrich since 12/92. As treasurer, I am generally familiar with the current fundraising, recordkeeping and reporting practices of Friends of Newt Gingrich, and have attempted to confirm the following information for prior time periods as possible.
2. For the time period addressed in the complaint prior to the Commission's revision of the "best efforts" regulations in 1993, it is my understanding that Friends of Newt Gingrich followed the applicable requirements for "best efforts" contributor information requests.
3. For the time period addressed in the complaint after the Commission's revision of the "best efforts" regulations in 1993, it is my understanding that the following practices were routinely followed by Friends of Newt Gingrich:
 - a. All written solicitations for contributions included a clear request for the contributor's full name, mailing address, occupation and name of employer, and included a clear and conspicuous statement that federal law requires Friends of Newt Gingrich to report/request such information.
 - b. For each contribution received aggregating in excess of \$200 per calendar year which lacked required contributor information, including occupation and name of employer, Friends of Newt Gingrich made at least one effort after the receipt of the contributor to obtain the missing information by written or oral request to the contributor.
 - c. Friends of Newt Gingrich reported all contributor information not provided by the contributor but that was in our possession, including information in contributor records, fundraising records, and previously filed reports, in the same two-year election cycle.
 - d. If any contributor information was received after the contribution had been disclosed on a regularly scheduled report, Friends of Newt Gingrich would have filed appropriate amendments to its reports disclosing the new contributor information.
4. I am confident that Friends of Newt Gingrich adhered to the requirements of 11 CFR 104.7, as applicable, and exercised "best efforts" to obtain, maintain and report contributor information required by the regulations of the Federal Election Commission.

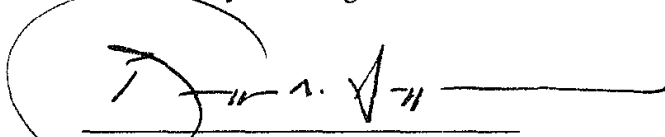
P.O. Box 1399, Roswell, Georgia 30077
770/587-2330 Fax: 770/587-2339

E-mail: fong@newt.org Web site <http://www.newt.org>

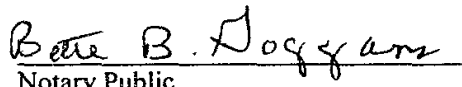
Paid for by Friends of Newt Gingrich, not at taxpayer's expense. Corporate contributions are prohibited by law. Contributions are not tax deductible.

Friends Of
NEWT GINGRICH

The above information is true and correct to the best of my knowledge and belief.


Briggs A. Goggans

Sworn and subscribed to in Roswell, Georgia by the said Briggs A. Goggans
On the 20th day of November 1998.


Notary Public

Notary Public, Cobb County, Georgia
My Commission Expires April 28, 2001

My commission expires: _____

P.O. Box 1399, Roswell, Georgia 30077
770/587-2330 Fax: 770/587-2339

E-mail: fong@newt.org Web site <http://www.newt.org>

Paid for by Friends of Newt Gingrich, not at taxpayer's expense. Corporate contributions are prohibited by law. Contributions are not tax deductible.

DEAR NEWT:

YOU HAVE MY "VOTE OF CONFIDENCE"!

I AM COMMITTED TO STANDING WITH YOU, AND MAKING SURE "FRIENDS OF NEWT GINGRICH" HAS THE MONEY WE WILL NEED TO BEAT BACK THE DEMOCRATS AGAIN IN 1998.

MY MAXIMUM CONTRIBUTION, PAYABLE TO "FRIENDS OF NEWT GINGRICH" IS ENCLOSED IN THE AMOUNT OF:

☐ \$25.00 ☐ \$40.00 ☐ \$_____ OTHER

MR. JOHN Q. SAMPLE
123 MAIN STREET
CLIFTON, VA 22024-1032

GA01

Paid for by Friends of Newt Gingrich *1085 Holcomb Bridge Road* Roswell, GA 30076.

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year.

Contributions to Friends of Newt Gingrich are not considered charitable contributions for federal income tax purposes. No corporate checks may be accepted. Partnership checks are welcome. Please provide a written statement as to how to attribute the contribution among unincorporated partners. Please return your gift in the return envelope provided.

Name: _____

Mailing Address: _____

Occupation: _____

Name of Employer: _____

FIRST CLASS MAIL PERMIT NO. 414 ROSWELL, GA
POSTAGE WILL BE PAID BY ADDRESSEE

FRIENDS OF NEWT GINGRICH
P.O. BOX 1399
ROSWELL, GA 30077-9830



Friends Of
NEWT GINGRICH

June 16, 1998

Mr. Frank Fuller
1901 Kimberly Park Drive
Dalton, GA. 30720

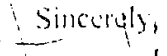
Dear Mr. Fuller,

On behalf of Friends of Newt Gingrich, our sincere thanks for your generous contribution. The commitment you have made will have a direct bearing on the success of our campaign.

The strict regulations of the Federal Election Commission require that the campaign obtain the following information regarding employment. Please complete the form below and return it to us as soon as possible in the enclosed envelope. To expedite this process, you may fax the form to us at (770) 587-2339.

We appreciate your assistance in this matter, which will help the campaign to comply with all federal requirements.

Thank you again for your generosity and support. Please do not hesitate to contact us at (770) 587-2330 should you have any questions.

Sincerely,

Paul Kilgore
Comptroller

NAME: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

EMPLOYER: _____

OCCUPATION: _____

P.O. Box 1399, Roswell, Georgia 30077
770/587-2330 Fax: 770/587-2339

E-mail: fong@newt.org Web site: <http://www.newt.org>

Paid for by Friends of Newt Gingrich, not at taxpayer's expense. Corporate contributions are prohibited by law. Contributions are not tax deductible.

Friends Of
NEWT GINGRICH

June 18, 1997

Mr. Thomas Matey
6318 Donegal Dr.
Orlando, FL 32819

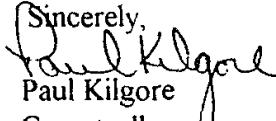
Dear Mr. Matey,

On behalf of Friends of Newt Gingrich, our sincere thanks for your generous contribution. The commitment you have made will have a direct bearing on the success of our campaign.

The strict regulations of the Federal Election Commission require that the campaign obtain the following information regarding employment. Please complete the form below and return it to us as soon as possible in the enclosed envelope. To expedite this process, you may fax the form to us at (770) 587-2339.

We appreciate your assistance in this matter, which will help the campaign to comply with all federal requirements.

Thank you again for your generosity and support. Please do not hesitate to contact us at (770) 587-2330 should you have any questions.

Sincerely,

Paul Kilgore
Comptroller

NAME: VIOLET A. MATEY
ADDRESS: 6318 DONEGAL DRIVE
CITY: ORLANDO, FL.
STATE: FLORIDA ZIP: 32819
EMPLOYER: LAS OLAS RESORT, INC.
OCCUPATION: RESORT MGMT.

P.O. Box 1399, Roswell, Georgia 30077
770/587-2330 Fax: 770/587-2339

E-mail: fong@mindspring.com Web site <http://www.newt.org>

Paid for by Friends of Newt Gingrich, not at taxpayer's expense. Corporate contributions are prohibited by law. Contributions are not tax deductible.

BEFORE THE FEDERAL ELECTION COMMISSION

AFFIDAVIT OF ANTHONY T. MOONIS

Anthony T. Moonis states the following on information and belief, and to the best of his personal knowledge, as to facts and circumstances related to Matter Under Review 4823:

1. I have served as treasurer of GOPAC, Inc. since November 1997. As treasurer, I am generally familiar with the current fundraising, recordkeeping and reporting practices of GOPAC, Inc. and have attempted to confirm the following information for prior periods as possible.
2. For the time period addressed in the complaint prior to the Commission's revision of the "best efforts" regulations in 1993, it is my understanding that GOPAC, Inc. followed the applicable requirements for "best efforts" contributor information requests .
3. For the time period addressed in the complaint after the Commission's revision of the "best efforts" regulations in 1993, it is my understanding that the following practices were routinely followed by GOPAC, Inc.
 - a. All written solicitations for contributions included a clear request for the contributor's full name, mailing address, occupation and name of employer, and included a clear and conspicuous statement that federal law requires GOPAC, Inc. to report/request such information.
 - b. For each contribution received aggregating in excess of \$200 per calendar year which lacked required contributor information, including occupation and name of employer, GOPAC, Inc. made at least one effort after the receipt of the contribution to obtain the missing information by written or oral request to the contributor.
 - c. GOPAC, Inc. reported all contributor information not provided by the contributor but that was in our possession, including information in contributor records, fundraising records and previously filed reports in the two-year election cycle.
 - d. If any contributor information was received after the contribution had been disclosed on a regularly scheduled report, GOPAC, Inc. would have filed appropriate amendments to its reports disclosing the new contributor information.
4. I am confident that GOPAC, Inc. adhered to the requirements of 11 CFR §104.7, as applicable, and exercised "best efforts" to obtain, maintain and report contributor information required by the regulations of the Federal Election Commission.

The above information is true and correct to the best of my knowledge and belief.

Anthony T. Moon

Anthony T. Moonis

Sworn and subscribed to in Washington DC by the said
Anthony T. Moonis on the 22nd day of November 1998.

Rebecca F. South

NOTARY PUBLIC

Rebecca F. South
Notary Public, District of Columbia
My commission expires: My Commission Expires April 30, 1999

99-04-397-10-66

Figure 1 illustrates the experimental setup. A subject is seated at a table, looking at a video screen. A camera is positioned above the screen. The screen displays a target (a small circle) and a starting point (a larger circle). The subject's hand is positioned at the starting point. The distance between the starting point and the target is labeled 'D'. The distance between the starting point and the video screen is labeled 'L'. The distance between the video screen and the camera is labeled 'L_c'. The distance between the camera and the target is labeled 'D_c'. The distance between the camera and the starting point is labeled 'D_s'. The distance between the camera and the target is labeled 'D_t'.

GOPAC • 110 First Street, N.W. • Suite 100 • Washington, D.C. 20001

REPUBLICAN LEGISLATIVE AGENDA SURVEY

REMINDER: PLEASE PLACE A CHECK IN THE APPROPRIATE SPOT NEXT TO THE THREE LEGISLATIVE INITIATIVES OR POLICY AREAS YOU BELIEVE HOUSE REPUBLICANS SHOULD MAKE THEIR TOP PRIORITIES FOR THE NEW CONGRESS IN JANUARY.

- ☐ 1 Make all laws passed by the House of Representatives applicable to the House itself _____
- ☐ 2 Require all welfare recipients who are physically able to work _____
- ☐ 3 Crack down on illegal immigration _____
- ☐ 4 Cut the size of all House Committee staffs by one-third _____
- ☐ 5 Enact tort law reform legislation that will limit contingency legal fees and the amount of damages awarded in civil actions _____
- ☐ 6 Institute immediately an independent, outside audit of all House financial transactions for the past 10 years _____
- ☐ 7 Pass a federal crime bill that tightens mandatory sentencing requirements for violent criminals and creates an effective, believable federal death penalty _____

PAID FOR BY GOPAC.

Contributions to GOPAC are not deductible as charitable contributions for federal income tax purposes.

Contributions received will be placed in GOPAC's federal account and used in connection with federal elections, unless the contribution is not permissible under federal law for such purposes or a contributor requests the contribution be used for non-federal purposes.

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year.

Name: _____

Mailing Address: _____

Occupation: _____

Name of Employer: _____

GOPAC440 First Street, N.W. Suite 400
Washington, D.C. 20001*Member's Reply to Newt Gingrich*

From:

Mr. Warner G. Cosgrove, Jr.
82 Middle Rd.
Bryn Mawr, PA 19010

DG01 00018121

Newt, I endorse "The Republican Contract With America", and I'm proud of my role in helping create it!

- ☐ I'm returning my signed contract to you for your records
- ☐ And I'm enclosing a financial contribution to GOPAC, as my part in helping make the maximum effort on behalf of our House Republican candidates!

My contribution, payable to GOPAC, is for

☐ \$75☐ \$112☐ Other \$ _____PLEASE SIGN YOUR "REPUBLICAN CONTRACT WITH AMERICA" AND INCLUDE THIS
ENTIRE FORM WITH YOUR CONTRIBUTION IN THE ENCLOSED REPLY ENVELOPE. THANK YOU!**Paid for by GOPAC:**

Contributions to GOPAC are not deductible as charitable contributions for federal income tax purposes.

Contributions received will be placed in GOPAC's federal account and used in connection with federal elections, unless the contribution is not permissible under federal law for such purposes or a contributor requests the contribution be used for non-federal purposes.

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year

Name: _____

Mailing Address: _____

Occupation: _____

Name of Employer: _____

REPUBLICAN CONTRACT WITH AMERICA*As the next Republican Leader of the United States House of Representatives, I have affixed my signature to this CONTRACT WITH AMERICA.**The Republican Party in the House of Representatives will seek, on the first day of the new Republican Congress, January 3, 1995, to pass three major reforms.*

- 1) The Shays' Act requiring all laws that apply to the rest of the country also apply equally to Congress*
- 2) The selection of a "Big Six" accounting firm to conduct a complete audit of all Congressional accounts for waste, fraud and abuse*
- 3) A severe cut of congressional staff and a reduction in the number of congressional committees*

*FURTHER, within 100 days the House will debate and vote upon ten Republican bills which will likely include measures designed to eliminate the marriage penalty in income tax, enact term limits, welfare reform, a balanced budget amendment, a line item veto and other measures designed to advance economic prosperity and individual freedom**Newt Gingrich*

Newt Gingrich

*I endorse this CONTRACT*_____
GOPAC Contributor Signature

GOPAC

Newt Gingrich
General Chairman

Gay Hart Gaines
Chairman

Lisa B. Nelson
Executive Director

440 F Street, N.W.

Suite 400
Washington, DC 20001

The Education And Training Center For Renewing America

April 21, 1994

Mr. Robert S. Eldridge
3886 Northside Drive, NW
Atlanta, Georgia 30342-4044

Dear Mr. Eldridge:

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. To meet this requirement, please fill out this form and return it in the prepaid return envelope supplied to you in this letter.

Thank you for your cooperation and support.

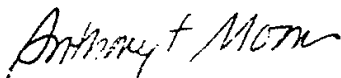
Name

Mailing Address

Occupation

Name of Employer

Thank you.


Anthony T. Moonis
Assistant Treasurer

GOPAC

First Street, N.W.

Suite 400

Washington, DC 20001

Newt Gingrich
General Chairman

Gay Hart Gaines
Chairman

Lisa B. Nelson
Executive Director

The Education And Training Center For Renewing America

December 2, 1994

Mr. Arlan Nelson
3979 E. Shawnee Road
Berrien Springs, Michigan 49103

Dear Mr. Nelson:

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. To meet this requirement, please fill out this form and return it in the prepaid return envelope supplied to you in this letter.

Thank you for your cooperation and support.

Name

Mailing Address

Occupation

Name of Employer

Thank you,

Anthony Moonis
Anthony Moonis
Assistant Treasurer

BEFORE THE FEDERAL ELECTION COMMISSION

AFFIDAVIT OF TRUDY MATTHES BARKSDALE

Trudy Matthes Barksdale states the following on information and belief, and to the best of her personal knowledge, as to facts and circumstances related to Matter Under Review 4823:

1. I have served as treasurer of Monday Morning Political Action Committee since July 25, 1995. As treasurer, I am generally familiar with the current fundraising, recordkeeping and reporting practices of Monday Morning Political Action Committee, and have attempted to confirm the following information for prior time periods as possible.
2. For the time period addressed in the complaint, it is my understanding that the following practices were routinely followed by the Monday Morning Political Action Committee.
 - a. All written solicitations for contributions included a clear request for the contributor's full name, mailing address, occupation and name of employer, and included a clear and conspicuous statement that federal law requires Monday Morning Political Action Committee to report/request such information.
 - B. For each contribution received aggregating in excess of \$200.00 per calendar year which lacked required contributor information, including occupation and name of employer, Monday Morning Political Action Committee made at least one effort after receipt of the contribution to obtain the missing information by written or oral request to the contributor.
 - c. Monday Morning Political Action Committee reported all contributor information not provided by the contributor but that was in our possession, including information in contributor records, fundraising records and previously filed reports, in the same two-year election cycle.
 - d. If any contributor information was received after the contribution had been disclosed on a regularly scheduled report, Monday Morning Political Action Committee would have filed appropriate amendments to its reports disclosing the new contributor information.
3. I am confident that Monday Morning Political Action Committee adhered to the requirements of 11 CFR ss 104.7, as applicable, and exercised "best efforts" to obtain, maintain and report contributor information required by the regulations of the Federal Election Commission.

2034 253 40 66
JAMES 11/18

The above information is true and correct to the best of my knowledge and belief.

Trudy Matthes Barksdale
Trudy Matthes Barksdale

Sworn and subscribed to in Columbia, Maryland by said
Trudy Matthes Barksdale on the 19th day of November 1998.

Jeana Barber
NOTARY PUBLIC

My commission expires: JEANA BARBER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires March 1, 2002

2001-11-19 14:30:00

REPLY TO NEWT GINGRICH

March 1998 Targets of Opportunity
Mr John Q. Sample
P.O. Box 10097
Arlington, VA 22210-1097

9999 XXXX

Dear Newt:

You can count on me to help you and Monday Morning make the most of the opportunity to expand our House majority...and make the 106th Congress the most soundly conservative Congress in our lifetime!

My maximum contribution, payable to: Monday Morning, is enclosed in the amount of:

- ☐ \$180 (\$20 for each seat)
- ☐ \$135 (\$15 for each seat)
- ☐ \$90 (\$10 for each seat)
- ☐ \$ _____ other

Signature

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. Contributions to Monday Morning are not considered charitable contributions for federal income tax purposes. No corporate checks may be accepted.

Name: _____
Mailing Address: _____
Occupation: _____
Name of Employer: _____

Paid for by Monday Morning. Not authorized by any candidate.

P.O. Box 10097 • Arlington, VA 22210-1097

▼ Please detach here and return your Reply to Newt Gingrich in the enclosed postage paid envelope. Thank you! ▼



P.O. Box 10097 • Arlington, VA 22210-1097

Ms. Jane Sullivan
83 Francis St.
Worcester, MA 01606-3119

I want to thank you for your generous decision to renew your support of my political committee, *Monday Morning*. You are truly my partner in fundamentally redirecting our nation's course and I am deeply grateful for your support.

Since I sent you your 1998 *Monday Morning* membership card, the leaders of the AFL-CIO have unveiled their political plan for the midterm election campaign.

Once again, the union bosses have made defeating our House GOP majority their top campaign priority. And, just as in 1996, they are right now stockpiling the money they will use against us through the membership dues they collect from their members (Democrats, independents and Republicans) every week!

This reality of another massive Labor spending campaign against us...makes the money that *Monday Morning* distributes to GOP House challengers and incumbents even more important. We are one of the only places our candidates can turn to for direct cash contributions that they can use to counter the unions.

Even though you have already recommitted yourself to *Monday Morning*, if you could possibly make a supplemental renewal contribution today, hopefully for as much as \$25, to help us immediately boost what we can do for our candidates, that would be just tremendous. Thank you, again, for all you do to help us.

Neel Singhal

RENEWAL NOTICE

Dear Newt:

I understand just how dangerous the Big Labor threat is to our candidates. That's why I'm enclosing a supplemental renewal contribution, payable to Monday Morning, in the amount of:

☐ \$25

☐ \$50

☐ \$_____ other

Ms. Jane Sullivan
83 Francis St.
Worcester, MA 01606-3119

5026 HB01

Paid for by Monday Morning. Not authorized by any candidate.

Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. Contributions to Monday Morning are not considered charitable contributions for federal income tax purposes. No corporate checks may be accepted.

Name _____
Mailing Address _____
Occupation _____
Name of Employer _____

**Monday
Morning**
Political Action Committee

November 19, 1998

John Doe
12345 Maple Street
Anytown, USA 99999

Dear Mr. Doe,

Thank you for your recent contribution to the Monday Morning Political Action Committee.

Federal Election Commission regulations require all political committees to report the name, address, employer and occupation for all contributors whose aggregate contributions exceed \$200.00 in a calendar year.

In order to comply with this regulation, please fill out the form below and return it to me in the enclosed, self addressed, stamped envelope.

Thank you for your cooperation in this matter, and again, thank you for your continued support of the Monday Morning Political Action Committee.

Sincerely,

Trudy M. Barksdale
Trudy M. Barksdale
Treasurer

NAME: _____
(to ensure correct spelling)

EMPLOYER: _____
(Name of the company or
organization you work for.)

OCCUPATION: _____
(Your job title: "President",
"CEO", "CPA", "secretary",
"mechanic", "salesperson".)

Note: If you are self-employed, please enter on occupation line what you are employed as (i.e. "investor", "house painter", "architect", "doctor", "real estate broker", "accountant")