# FEDERAL ELECTION COMMISSION

RQ-3

WASHINGTON, D.C. 20463

March 16, 2000

Anthony T. Moonis, Treasurer GOPAC Incorporated 122 C Street, NW, #505 Washington, DC 20001

Identification Number:

C00251801

Reference:

December Monthly (11/1/99-11/30/99) and Termination (12/1/99-

12/31/99) Reports

Dear Mr. Moonis:

This letter is to inform you that as of March 15, 2000, the Commission has not received your response to our requests for additional information dated February 23, 2000. These notices request information essential to full public disclosure of your federal election campaign finances. To ensure compliance with the provisions of the Federal Election Campaign Act (the Act), please respond to these requests (copies enclosed).

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions regarding this matter, please contact Andrew Dodson on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,

John D. Gibson

Assistant Staff Director Reports Analysis Division

Enclosures



### FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-2

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Anthony T. Moonis, Treasurer GOPAC Incorporated 122 C Street, NW, #505 Washington, DC 20001

Identification Number:

C00251801

Reference:

Termination Report (12/1/99-12/31/99)

Dear Mr. Moonis:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule D of your Termination Report discloses separate debts for both federal and non-federal activity and also indicates that \$49,604 in outstanding "non-federal" debts have been transferred to GOPAC Non-Federal (pertinent portions attached). On previous reports these debts were disclosed as having been incurred for shared allocable activity and payments on these debts were disclosed on Schedule H4 as shared expenditures. Transfers from your non-federal account were disclosed on Schedule H3 to pay for a portion of these expenditures based on your committee's allocation ratio for shared federal/non-federal administrative expenses. If these obligations were incurred for shared federal/non-federal activity 11 CFR §106.6 requires that these expenses be paid from the federal account and allows the non-federal account to transfer-in its share of the expense no more than 10 days before or 60 days after payment by the federal account. No portion of any debt which was incurred by your committee for shared allocable activity may be transferred to your nonfederal account. Debts for 100% federal or non-federal activity do not fall within the definition of an allocable expense. Any transfers received by your federal account from your non-federal account to pay for 100% federal or non-federal debts constitute an impermissible receipt of funds by your federal account.

Please provide an explanation regarding the apparent reclassification of these obligations from debts for shared allocable activity to debts for 100%

federal and non-federal activity. If these obligations represent debts for 100% federal and non-federal activity please clarify your committee's prior disclosure of payments for these debts as shared expenditures. To the extent that your committee has received transfers from your non-federal account to pay for 100% federal or non-federal activity, the Commission recommends that you immediately transfer the funds received back to your non-federal account. If this apparent change in the status of your committee's debts is in error your committee must continue to pay 100% of any shared allocable expenses from your federal account. Please amend your report to address these apparent discrepancies. Be advised that your committee may not transfer any debts to your non-federal account and must continue to file all required reports with the Commission until this matter has been resolved. The Commission will notify you when your request to terminate has been approved and the committee is no longer required to file reports with the Commission.

The Detailed Summary Page, on Line 18 Column B of your report, discloses \$1,344,162 in transfers from the non-federal account for joint activity for the calendar year. However, Line 21 (a)(ii) Column B discloses \$1,336,875 as the non-federal share for joint activity for the calendar year. While the non-federal account is permitted to transfer funds to the federal account for allocable activity, transfers from the non-federal account for amounts greater than the non-federal share of allocable activity are prohibited by 11 CFR §102.5(a)(1)(i). Please clarify this discrepancy.

The Commission recommends that you immediately transfer back to the non-federal account, the amount which was transferred to the federal account in excess of the non-federal share. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 694-1130.

Sincerely,

Andrew J. Dodson Senior Reports Analyst Reports Analysis Division

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SCHEDULE D (Revised 3/80)

#### DEBTS AND OBLIGATIONS Excluding Loans

Page 1 of 3 for LINE NUMBER 10 (Use separate schedules for each numbered line)

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SCHEDULE D (Revised 3/80)

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Page 2 of 3 for LINE NUMBER 10 (Use expersite achiedules for each numbered line)

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SCHEDULE D (Revised 3/80)

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