



06-C 1972
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JUL 25 AM 10:47

July 17, 1991

Federal Election Commission
999 E Street NW
Washington, DC 20463

Attn: Compliance

Re: Request for Advisory Opinion

Dear Sir/Madam:

The Porter Goss Re-Election Team has received notification from individual contributor Michael Tracy (see enclosed xerox copies) of his contribution made in the name of "Porter Goss, Member of Congress" of \$50 each to four different children's charities in Sarasota County, for a total of \$200. These contributions were made in response to a campaign letter from the Porter Goss Re-Election Team (see enclosed letter copy).

Upon notification, I called the FEC and talked to Specialist Greg Scott in order to ascertain what, if any, reporting responsibility might be incumbent on the Porter Goss Re-Election Team as a result of these contributions. Scott's search for a relevant precedent was unsuccessful, 1980-16 with regard to corporations providing funds for transportation to charitable outings being the closest precedent he could find.

Since there apparently is no directly applicable precedent to provide guidance in this situation, I hereby request an official Advisory Opinion in order to insure that the Porter Goss Re-Election Team complies with both the spirit and the letter of FEC regulations.

I thank you for your consideration of this matter and look forward to hearing from you shortly.

Sincerely,

L.S. Robinson
Finance Coordinator

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JUL 26 AM 10:35

United Money Management Inc.

Securities • Mortgage • Real Estate • Insurance • Brokerage
Investment Protection, Planning and Funding
Larry J. Tracy, President
Michael Tracy, Vice President

July 3, 91

Dear Peter,

RECEIVED

JUL 08 1991

I very much enjoyed your letter of June 17, 91, and I continue to agree with your objectives. I can't help smiling to myself when I read about a new committee you've been named to, a statement or vote you've made that I feel is right on, or recently, to see you on 60 minutes. It makes me happy to know that I had just a little bit to do with it, a little piece of it belongs to me because I was out there sweating on the weekends, stuffing door jams that first summer and I will continue to sing your praises and get out the vote in any future election. But as I think you would be absolutely suicidal to run against me in '92, these receipt office donations in your name are very valuable.

Wilbanks Point • Suite 114 • 8383 South Tamiami Trail • Sarasota Florida 34238 2901
(813) 923 8332

Registered Representative of PW Securities
Member National Association Of Securities Dealers Inc SIPC and SEC Registered Investment Advisor

813 966 6152
1627 BOATHOUSE CR.
SARASOTA, FL 34231

7/3 19 91

63 905/031

PAY TO THE ORDER OF

J.C.O.R.C. for a Child

\$ 50⁰⁰/₁₀₀

fifty dollars

DOLLARS



802-022
8055 South Geneva Road
Sarasota Florida 34238

Pay to the name of
FOR Porter's Cross - member of Congress

Michael Tracy

⑆063109058⑆ 0322 1626531300⑈

MICHAEL P TRACY
PHONE 813-966-6152
1627 BOATHOUSE CR.
SARASOTA, FL 34231

322

7/3 19 91

63 905/031

PAY TO THE ORDER OF

Boys Clubs of Sarasota Co

\$ 50

fifty dollars

DOLLARS



802-022
8055 South Geneva Road
Sarasota, Florida 34238

Pay to the name of
FOR Porter's Cross - member of Congress

Michael Tracy

⑆063109058⑆ 0322 1626531300⑈

MICHAEL P TRACY
PHONE 813-966-6152
1627 BOATHOUSE CR.
SARASOTA, FL 34231

323

7/3 19 91

63 905/031

PAY TO THE ORDER OF

Girls Clubs of Sarasota Co

\$ 50

Fifty

DOLLARS



802-022
8055 South Geneva Road
Sarasota, Florida 34238

Pay to the name of
FOR Porter's Cross - member of Congress

Michael Tracy

⑆063109058⑆ 0323 1626531300⑈

MICHAEL P TRACY
PHONE 813-966-6152
1627 BOATHOUSE CR.
SARASOTA FL 34231

324

7/3 19 91

63 905/031

PAY TO THE ORDER OF

Children's Auxiliary of Sarasota Co

\$ 50

fifty

DOLLARS



802-022
8055 South Geneva Road
Sarasota Florida 34238

Pay to the name of
FOR Porter's Cross - member of Congress

Michael Tracy

⑆063109058⑆ 0324 1626531300⑈



June 17, 1991

Mr. Michael Tracy
1627 Boathouse Circle
Sarasota, FL 34231

Dear Michael,

One of the great pleasures of my job as your Congressman is hearing from you. Your views help me focus my efforts on behalf of all those I represent.

Your thoughts and insights have proved to be a powerful combination in increasing my ability to get things done in Washington. We've come a long way since November of 1988, and I'm proud of the effectiveness we have developed together.

There are those who want to break up that effectiveness by splitting our coastal communities through redistricting. We've come too far in the last three years to stop the positive momentum now...and I need your help again.

I want to send an early and strong message to any potential opponent that the issues we have been working on together are critical to the ongoing vitality of Southwest Florida...and that takes dollars to accomplish.

Any of the various redistricting plans to break up coastal Southwest Florida could seriously undermine our progress. With our partnership, which has proven effective, we can continue to prioritize our interests.

We've made some real progress on some of the issues that matter most to Southwest Floridians, but there's still much work to be done!

P O Box 517, Fort Myers, FL 33902

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Paid for by the Porter Goss Re Election Team

* It's become painfully obvious that the federal budget process does not work. Despite all the rhetoric, last year's so-called budget deal did little in the way of reducing the hundreds of billions of dollars in waste or unnecessary spending--about all it did was raise your taxes! But the momentum is building behind our efforts to reform the process...to give the President a line item veto, to force the Congress to set priorities first and spend second (instead of the other way around), and to require a super majority vote to raise taxes or exceed spending limits. It's time we tightened the reins on the big spenders that control the Congress.

* Our efforts to preserve our unique quality of life have so far proved successful in preventing risky offshore oil drilling in Florida's most sensitive waters. We achieved a new level of federal/state partnership in coastal resource protection through the Coastal Zone Management Act, giving Floridians a much greater say over what happens along our coastline. As we face the new challenges, I will be working in the Merchant Marine and Fisheries Committee to build on that cooperation and ensure the implementation of meaningful, balanced legislation.

* We proved how powerful grassroots momentum can be when we repealed the ill-conceived and unfair Catastrophic Health Care Act in the 101st Congress. But repealing the bad laws is only half the answer. I've been working almost non-stop with my colleagues on the Health Care Task Force to develop and promote a comprehensive proposal to overhaul Medicare, expand access to health insurance, reform malpractice laws, and ensure adequate medical care for the most needy.

* If there's one thing that I hear most from you, though, it's growing alarm and indignation about the declining integrity of the Congress. Believe me, I share your frustration that oftentimes it appears Congress is taking better care of itself than of the nation, and that's why I accepted the appointment to serve on the Ethics Committee. Unearned salary hikes, a seniority system based on longevity rather than merit and a proven inability to curb its insatiable appetite for spending have all brought Congressional credibility to new lows. I'm fighting to limit the tenure of members of Congress, to tighten up campaign finance rules to reduce the power of special interest lobbies and to ensure that you, the American people (our employers), have the final word on whether we've earned a pay raise.

This is only a small portion of what we have done and what we need to do. My commitment to you has always been to raise just enough money to support the minimum amount of staff and equipment needed to maintain an effective campaign organization. That will not change!

But if we wait until next year to send the message of your support for me as your Congressman, it will be too late.

If you can send \$250, \$100, \$50, or \$10 at this time, we can show a broad base of support from which to move forward.

Your trust has allowed me to be a thoughtful legislator who cares about you and our unique place in Southwest Florida. Our effectiveness in Congress has protected our quality of life by addressing local issues at the national level.

With your help, I know we can continue to make an impact on the many issues facing our nation today.

Best regards,



Porter Goss
Member of Congress

P.S. I hope you will take the time to return the enclosed card and envelope today. Mariel and I can't thank you enough for your encouragement.



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

July 29, 1991

L.S. Robinson
Finance Coordinator
Porter Goss Congressman Re-Election Team
P.O. Box 517
Ft. Myers, FL 33902

Dear Ms. Robinson:

This refers to your letter dated July 17, 1991, with enclosures, requesting an advisory opinion on behalf of the Porter Goss Re-Election Team ("the Committee") concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), to the acceptance of charitable donations made by Michael Tracy.

Your letter explains that Michael Tracy responded to a Committee solicitation mailing by making \$200 of charitable donations in the form of four \$50 checks. The checks were made payable to children's charities in Sarasota County and include a notation: "Donation in Name of Porter Goss-member of Congress." You ask whether the Committee has any reporting obligations with respect to the four donations.

The Act authorizes the Commission to issue an advisory opinion in response to a "complete written request" from any person with respect to a specific transaction or activity by the requesting person. 2 U.S.C. §437f(a). Commission regulations explain that such a request "shall include a complete description of all facts relevant to the specific transaction or activity with respect to which the request is made." 11 CFR 112.1(c).

In view of these requirements, this office needs your responses to the following questions and requests for documentation.

- 1) Please submit a legible copy of Mr. Tracy's letter dated July 3, 1991. While most of the letter seems readable there are several lines at the bottom which are not legible to us. It would be helpful if you could submit a typed transcript of the Tracy letter in order to assure that its contents are commonly understood by both this office and you.

- 2) Please clarify whether the Committee received the actual checks written by Mr. Tracy to the four charities, or whether your office has only copies of these checks.
- 3) State whether the Committee, or any of its authorized personnel, accepted delivery of the checks or delivered them to the designated charities.
- 4) Does the Committee, or any of the charities designated by Mr. Tracy, propose to make public the fact that these contributions were made? Will the Committee, for example, refer to these donations in any of its future solicitations or other mailings?

Upon receiving your responses to the above questions, this office and the Commission will give further consideration to your inquiry as an advisory opinion request. If you have any questions concerning the advisory opinion process, or this letter, please contact the undersigned.

Sincerely,

Lawrence M. Noble
General Counsel

by:


N. Bradley Lytchfield
Associate General Counsel

Enclosures



06-C 2805
RECEIVED
FEDERAL ELECTION COMMISSION
TRAIN COPY ROOM

91 SEP 16 PM 2:10

September 12, 1991

Mr. N. Bradley Litchfield
Associate General Counsel
Federal Elections Commission
999 E Street NW
Washington, DC 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
91 SEP 17 PM 3:28

Dear Mr. Litchfield:

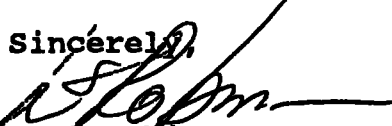
AOR 1991-31

Thank you for responding to my letter of 17 July 1991 requesting an advisory opinion regarding the charitable donations made by Michael Tracy. Per your letter of 29 July 1991, enclosed you will find a typed transcript of Mr. Tracy's letter. I apologize that the original letter, due to use of blue ink, could not be enhanced to a greater state of legibility. I hope this typed transcript is sufficient to your needs.

In response to your questions #2-3, be advised that neither the Porter Goss Re-Election Team nor any of its authorized personnel received the actual checks. Mr. Tracy sent them directly to the charitable organizations and submitted only xerox copies to our Committee; neither did our Committee or any authorized representative accept delivery of the checks or deliver them to the designated charities.

With regard to your query #4, be advised that the four designated charities have written thank you letters to Congressman Goss. Other than those unsolicited thank you letters, we have had no direct contact with the designated charities. We know of no public announcement with regard to Mr. Tracy's donations. Our Committee has NO intention of making public the fact that these contributions were made, nor will we refer to these donations in any future solicitation or mailing. While we do not know the intent of the designated charities, we have no reason to think that they intend to make these donations public, and we would be happy contact them and specifically request that they do not, should the FEC require that we do so.

Again, the Porter Goss Re-Election Team thanks you for your attention to this matter. Should you have further questions, please do not hesitate to contact me either by mail at the above address or by telephone at (813) 337-0799.

Sincerely,

L.S. Robinson
Finance Coordinator

P O Box 517, Fort Myers, FL 33902

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Paid for by the Porter Goss Re Election Team



**TRANSCRIPT OF LETTER SENT TO THE PORTER GOSS RE-ELECTION TEAM
BY MICHAEL TRACY**

"July 3, 91

Dear Porter,

I very much enjoyed your letter of June 17, 91, and I continue to agree with your objectives. I can't help smiling to myself when I read about a new committee you've been named to, a statement or vote you've made that I feel is right on, or recently, to see you on 60 minutes. It makes me happy to know that I had just a little bit to do with it, a little piece of it belongs to me because I was out there sweating on the weekends, stuffing door jams that first summer. And I will continue to sing your praises and get out the vote in any future election. But as I think anyone would be absolutely suicidal to run against you in 92, please accept these donations in your name to these very worthy charities. They need every dollar they can get.

Sincerely,

Michael"

United Money Management, Inc.

Securities • Mortgage • Real Estate • Insurance • Brokerage
Investment Protection Planning and Funding
Larry J Tracy, President
Michael Tracy, Vice President

July 3, 91
John Tracy,

RECEIVED
JUL 06 1991

I very much enjoyed our letter of June 17, 91
and I continue to agree with your objectives. I
can't help smiling to myself when I read what
- your committee will be allowed to do. I sincerely hope
you've made that I feel is right and, or recently, to
see you on 20 minutes - it makes me happy to know that
I had just a little bit to do with it, a little piece
of it belongs to me because I was out there sweating
on the weekends, stripping door jams that first summer
and I will continue to sign your names and get out
the vote in any future election and as I think anyone
would be absolutely suicidal to run against you in 92,
please accept these donations in your name - these very
worthy causes. They need every dollar they can get

Wilbanks Point • Suite 114 • 8383 South Tamiami Trail • Sarasota, Florida 34238-2901
(813) 923-8332

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[Handwritten signature]