

PATTON BOGGS LLP
ATTORNEYS AT LAW

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
1000 M Street, NW
Washington, DC 20037-1350
202-457-6000
SEP 20 1 19 PM '99
Facsimile 202-457-6315

SENSITIVE

September 20, 1999

Benjamin L. Ginsberg
202-457-6405
bginsberg@pattonboggs.com

VIA COURIER

Scott E. Thomas
Chairman
Federal Election Commission
999 E Street
Washington, DC 20463

Re: MUR 4736: John and Ruth Stauffer

Dear Chairman Thomas:

John and Ruth Stauffer (the "Stauffers"), respondents in the above-captioned Matter Under Review ("MUR"), hereby answer, by and through the undersigned counsel, the Federal Election Commission's (the "Commission") Factual and Legal Analysis.

Since the Factual and Legal Analysis does not present any new issues of law or fact, the Stauffers' Response to Complaint in MUR 4634 is incorporated by reference. The Factual and Legal Analysis offers no specifics to contradict the Stauffers' earlier submissions and no justification for the Commission's continued investigation of this matter.

In the Factual and Legal Analysis, the Commission indicates that it is investigating MUR 4736 jointly with MURs 4568, 4633 and 4634, which relate to the activities of Triad Management Services, Inc. during the time period of 1995 through 1996. The Commission's Factual and Legal Analysis in MUR 4736 restates the general allegations regarding Triad and certain campaigns. These allegations are based in large part on after-the-fact newspaper articles and the baseless partisan opinions of the Democratic Minority on the Investigation of Illegal or Improper Activities in Connection with the 1996 Federal Election Campaigns issued by the Committee on Governmental Affairs of the United States Senate ("Senate Report").

Based upon these sources, the Factual and Legal Analysis alleges that the Stauffers violated the Federal Election Campaign Act (the "Act") by making contributions in the name of another person to the Sam Brownback for U.S. Senate Committee. Factual and Legal Analysis at

28044200604

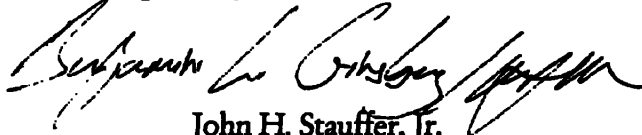
Scott E. Thomas
September 20, 1999
Page 2

10. In the alternative, the Factual and Legal Analysis alleges that the Stauffers violated the Act by "making excessive indirect contributions to the Sam Brownback for U.S. Senate Committee after directly making the maximum legal contribution, because the contributions to the PACs were made with the knowledge that those entities" would turn around and contribute a substantial portion of the funds to the Brownback for U.S. Senate Committee. *Id.*

As the Response to Complaint in MUR 4634 indicates, the Stauffers' contributions were not earmarked for any candidate, they did not indicate that the recipient PACs should contribute to any specific candidate, and they did not imply that their contributions should be used for any candidate. The Stauffers' did contribute to PACs they determined shared their beliefs, but they gave no direction about any specific candidate or candidates. In sum, these contributions complied with the Act and Commission regulations and no violation occurred.

For all the reasons stated above, the Commission should dismiss this matter as it pertains to the Stauffers and take no further action.

Respectfully submitted,



Benjamin L. Ginsberg
Patton Boggs, L.L.P.
2550 M Street, N.W.
Washington, DC 20037
202-457-6405

John H. Stauffer, Jr.
Goodell, Stratton, Edmonds & Palmer, L.L.P.
515 S. Kansas Ave.
Topeka, KS 66603
785-233-0593

28044200605