FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2276

Date Filmed 1/29/81 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

blue routing cards, assignment memo, 12 day report and comments; matters confidential pursuant to 2 USC § 437g(a)(12)(A).

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

___	(1) Classified Information	___	(6) Personal privacy
X	(2) Internal rules and practices	___	(7) Investigatory files
___	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
X	(5) Internal Documents		

Signed Lawrence E. Toberg

date January 20, 1987

TRW 1/20/87

FEC 9-21-77

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2276
National Democratic Policy Committee, and Patricia Salisbury, as treasurer	)	
	)	
The LaRouche Campaign, and Edward Spannaus, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 5, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2276:

1. Find no reason to believe that a violation of 2 U.S.C. § 441f has taken place.

2. Find no reason to believe that The LaRouche Campaign, and Edward Spannaus, as treasurer, violated 2 U.S.C. § 441f.

3. Find no reason to believe that the National Democratic Policy Committee, and Patricia Salisbury, as treasurer, violated 2 U.S.C. § 441f.

4. Find no reason to believe that the LaRouche Campaign and Edward Spannaus, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i).

5. Find no reason to believe that the National Democratic Policy Committee, and Patricia Salisbury, as treasurer, violated 2 U.S.C. § 434(b)(3)(A).

(continued)

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6. Approve and send the letters, as recommended in the General Counsel's Report signed December 22, 1986.

7. Close the file.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

1-6-87
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

8704052404 1

Received in Office of Commission Secretary:	Mon.,	12-22-86,	3:24
Circulated on 48 hour tally basis:	Tues.,	12-23-86,	11:00
Deadline for vote:	Mon.,	1-5-87,	4:00

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 8, 1987

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
Carol Y. Clinkenbeard
Route 2, Box 64A
Kirksville, MO 63501

RE: MUR 2276

Dear Ms. Clinkenbeard:

The Federal Election Commission has reviewed the allegations of your complaint dated November 1, 1986 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Act allows a complainant to seek judicial review of the Commission's dismissal of this matter. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosure:
General Counsel's Report

CLOSED

8704052042

plm

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 8, 1987

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
A. David Davis, Esquire
Anderson & Associates, P.C.
One Longfellow Place #216
Boston, MA 02114

RE: MUR 2276
The LaRouche Campaign, and
Edward Spannaus, as treasurer

Dear Mr. Davis:

On November 10, 1986, the Commission notified your clients, The LaRouche Campaign, and Edward Spannaus, as treasurer, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

The Commission, on January 5 , 1987, determined that on the basis of the information in the complaint, there is no reason to believe that your clients, The LaRouche Campaign, and Edward Spannaus, as treasurer, violated 2 U.S.C. §§ 434(a)(3)(A)(i) or 441f.

Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

cc: The LaRouche Campaign
Attn: Edward Spannaus, Treasurer
P.O. Box 17720
Washington, DC 20041

8704052043

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 8, 1987

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
Patricia Salisbury, Treasurer
National Democratic Policy Committee
P.O. Box 17729
Washington, DC 20041-0729

RE: MUR 2276

Dear Ms. Salisbury:

On November 10, 1986, the Commission notified you of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

The Commission, on January 5 , 1987, determined that on the basis of the information in the complaint, there is no reason to believe that the National Democratic Policy Committee, and you, as treasurer, violated 2 U.S.C. §§ 434(b)(3)(A) or 441f.

Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

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SENSITIVE

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, DC 20463

'86 DEC 22 P3:24

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION_____

MUR #: 2276
DATE COMPLAINT RECEIVED
BY OGC: November 3, 1986
DATE OF NOTIFICATION TO
RESPONDENT: November 10, 1986

STAFF MEMBER:
L. Tobey

COMPLAINANT'S NAME: Carol Y. Clinkenbeard

RESPONDENTS' NAMES: 1). National Democratic Policy Committee, and Patricia Salisbury, as treasurer

2). The LaRouche Campaign, and Edward Spannaus, as treasurer

RELEVANT STATUTE: None

INTERNAL REPORTS CHECKED: 1984 committee reports

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant alleges that her former husband made loans to the National Democratic Policy Committee and to The LaRouche Campaign by authorizing charges to Complainant's credit card without Complainant's consent.

FACTUAL AND LEGAL ANALYSIS

Complainant states that her former husband[1/] made a $100 loan to the National Democratic Policy Committee and Patricia

1/. The former husband is not identified in the complaint. From the wording of the complaint, it appears that Complainant was married to him at the time the alleged unauthorized charges were made, but that they were subsequently divorced.

8704052404 5

Salisbury as treasurer (hereinafter, "NDPC") and two loans, one for $100 and another for $250 to The LaRouche Campaign and Edward Spannaus, as treasurer (hereinafter, "TLC") by using Complainant's Visa credit card without Complainant's consent.

According to credit card statements submitted by Complainant, the card was listed only in Complainant's name, and her then-husband did not have the right to make charges to it. Complainant admitted that one charge of $45 to NDPC had been made with her knowledge and consent, for the purpose of obtaining a subscription to LaRouche-related publications. However, Complainant contends that all subsequent charges (i.e., the loan of $100 to NDPC and the two loans to TLC of $100 and $250) were made without her knowledge or consent. Complainant stated that her then-husband admitted to her that he made the charges without her consent, but allegedly stated that he believed that she would have consented had she been present.

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Complainant submitted copies of a letter which she sent to her credit card company to protest the charges. However, the credit card company did not accept Complainant's protest, and Complainant eventually paid the disputed amounts.

A. Debtor-Creditor Issue

Complainant states that her purpose in filing her Complaint is to "recover monies loaned to the National Democratic Policy Committee and/or the (1984) LaRouche Campaign." Complainant alleges that these credit card transactions (which she claims were unauthorized charges made by her then-husband) represent loans to NDPC and TLC which have not been repaid. However, disputes between debtors and creditors are outside the Commission's jurisdiction. The mere fact that NDPC or TLC may have failed to repay loans to a contributor, without more, does not raise an issue under the Act. Therefore, this Office makes no recommendation on such an issue.

B. Unauthorized Use of Credit Card Issue

As to the alleged unauthorized use of Complainant's credit card, although such conduct may violate state statutes or give rise to a state law tort claim, it does not violate the Act. The Act contains no applicable prohibition. Therefore, this Office makes no recommendations on such an issue.

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C. Contribution in the Name of Another Issue

The alleged transaction does not constitute the making of a contribution by one person in the name of another. The Act provides that no person shall make a contribution in the name of another person or permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another. 2 U.S.C. § 441f.

This prohibition requires that one person make a contribution which is then contributed or reported in the name of another person. The term "contribution" includes any gift, loan, advance, or deposit of money or anything of value made by any person in connection with a federal election. 2 U.S.C. § 431(8))(A)(i).

By authorizing charges to NDPC or TLC when he had no right to do so, he allegedly directed or permitted NDPC and TLC to make charges against his wife's account, which she ultimately paid herself. By paying the disputed charges, Complainant ratified the transactions and completed the making of the contributions which were reported in her name. Thus, on these facts, no contribution was made by one person in the name of another.

Therefore, this Office recommends that the Commission find

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no reason to believe that 2 U.S.C. § 441f was violated.[2/] Accordingly, this Office also recommends that the Commission find no reason to believe that the National Democratic Policy Committee and Patricia Salisbury, as treasurer, violated 2 U.S.C. § 441f by knowingly accepting contributions by one person in the name of another person. Accordingly, this Office also recommends that the Commission find no reason to believe that The LaRouche Campaign, and Edward Spannaus, as treasurer, violated 2 U.S.C. § 441f by knowingly accepting contributions made by one person in the name of another person.

D. Reporting Issue

A review of reports filed by TLC indicates that TLC correctly reported the two alleged loans (totalling $350) from Complainant on its August 1984 Monthly Report. Therefore, this Office recommends that the Commission find no reason to believe that The LaRouche Campaign, and Edward Spannaus, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i).

NDPC did not report the $100 loan charged to Complainant's account. However, 2 U.S.C. § 434(b)(3)(A) requires itemization of contributions of $200 or greater. Because only one loan of $100 was made to NDPC, NDPC was under no duty to itemize that contribution. Therefore, this Office recommends that the Commission find no reason to believe that the National Democratic

2/. Because Complainant's former husband was never identified in the complaint, this recommendation will be phrased without naming a specific individual.

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Policy Committee, and Patricia Salisbury, as treasurer, violated 2 U.S.C. § 434(b)(3)(A).

RECOMMENDATIONS

1. Find no reason to believe that a violation of 2 U.S.C. § 441f has taken place.

2. Find no reason to believe that The LaRouche Campaign, and Edward Spannaus, as treasurer, violated 2 U.S.C. § 441f.

3. Find no reason to believe that the National Democratic Policy Committee, and Patricia Salisbury, as treasurer, violated 2 U.S.C. § 441f.

4. Find no reason to believe that The LaRouche Campaign and Edward Spannaus, as treasurer, violated 2 U.S.C. § 434(a)(3)(A)(i).

5. Find no reason to believe that the National Democratic Policy Committee, and Patricia Salisbury, as treasurer, violated 2 U.S.C. § 434(b)(3)(A).

6. Approve and send the attached letters.

7. Close the file.

Charles N. Steele
General Counsel

12/22/81
Date

BY: Lawrence M. Noble
Lawrence M. Noble
Deputy General Counsel

Attachments:
I. Proposed Letters to Respondents (2)
II. Proposed Letter to Complainant (1)

8704052400 50

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
A. David Davis, Esquire
Anderson & Associates, P.C.
One Longfellow Place #216
Boston, MA 02114

RE: MUR 2276
The LaRouche Campaign, and
Edward Spannaus, as treasurer

Dear Mr. Davis:

On November 10, 1986, the Commission notified your clients, The LaRouche Campaign, and Edward Spannaus, as treasurer, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1986, determined that on the basis of the information in the complaint, there is no reason to believe that your clients, The LaRouche Campaign, and Edward Spannaus, as treasurer, violated 2 U.S.C. §§ 434(a)(3)(A)(i) or 441f.

Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

cc: The LaRouche Campaign
Attn: Edward Spannaus, Treasurer
P.O. Box 17720
Washington, DC 20041

8704052401

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
Patricia Salisbury, Treasurer
National Democratic Policy Committee
P.O. Box 17729
Washington, DC 20041-0729

RE: MUR 2276

Dear Ms. Salisbury:

On November 10, 1986, the Commission notified you of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1986, determined that on the basis of the information in the complaint, there is no reason to believe that the National Democratic Policy Committee, and you, as treasurer, violated 2 U.S.C. §§ 434(b)(3)(A) or 441f.

Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

87040524052

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL-RETURN RECEIPT REQUESTED
Carol Y. Clinkenbeard
Route 2, Box 64A
Kirksville, MO 63501

RE: MUR 2276

Dear Ms. Clinkenbeard:

The Federal Election Commission has reviewed the allegations of your complaint dated November 1, 1986 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Act allows a complainant to seek judicial review of the Commission's dismissal of this matter. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosure:
General Counsel's Report

87040524053

GCC# 2308

ANDERSON & ASSOCIATES, P.C.

ATTORNEYS AT LAW
ONE LONGFELLOW PLACE, SUITE 216
BOSTON, MASSACHUSETTS 02114
(617) 742-8200

ODIN P. ANDERSON
ROBERT L. ROSSI
A. DAVID DAVIS

OF COUNSEL:
ELEANOR W. PENNER

December 17, 1986

GENERAL COUNSEL
86 DEC 19 A9:24

Charles N. Steele, General Counsel
Federal Election Commission
1324 K Street, N.W.
Washington, D.C. 20463

Re: 2276 (Clinkenbeard)

Dear Mr. Steele:

This letter is in response to notification from the Commission, dated November 10, 1986, that there is reason to believe that the LaRouche Campaign ("TLC") and/or Gerald Rose, have violated the Federal Election Campaign Act of 1971, as amended.

In response to our written request and by letter dated 9, 1986 Commission Associate General Counsel Lois G. Lerner extended to December 19, 1986 the time for TLC and Rose to respond to this matter.

MUR 2276 notifies the LaRouche Campaign ("TLC") of a complaint filed by Carol (York) Clinkenbeard, alleging that Ms. Clinkenbeard (and/or her husband) loaned $450 to the National Democratic Policy Committee or TLC in 1984. Clinkenbeard alleges an unauthorized use of her credit card by her husband, but does not indicate what part, if any, of the "loan" is attributable to her husband's activity. Ms. Clinkenbeard refers to her interest in recovering "monies ... invested", refers to "restitution" and refers to a "loan". Her language suggests that her unemployed status and publicity regarding Mr. LaRouche have motivated her to make use of the FEC enforcement machinery to resolve her grievance.

Ms. Clinkenbeard documents an indebtedness to her by TLC, which indebtedness TLC acknowledges in the amount of $350. Since the debt is acknowledged by TLC, it would appear that Ms. Clinkenbeard's complaint involves nothing more than an overdue loan, a matter which is not within the jurisdiction of the Commission. Therefore, TLC requests that MUR 2276 be dismissed forthwith.

Sincerely yours,
The LaRouche Campaign
By Their Attorney

A. David Davis

A. David Davis

8704052405 4

pcm

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 9, 1986

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

A. David Davis, Esquire
Anderson & Associates, P.C.
One Longfellow Place #216
Boston, MA 02114

RE: MUR 2276
MUR 2281

Dear Mr. Davis:

This acknowledges your letter of November 26, 1986, which was received on December 2, 1986, and your telephone conversations with Laurence E. Tobey on December 4, 1986 and Thomas J. Whitehead on December 5, 1986.

Your request for an extension of time to file responses in these matters is granted. Your requests will be due on December 19, 1986.

Sincerely,

Charles N. Steele
General Counsel

Lois G. Lerner

BY: Lois G. Lerner
Associate General Counsel

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National Democratic Policy Committee

P.O. Box 17729 • Washington, D.C. 20041-0729

RECEIVED AT THE FEC
CCC#2178
86 DEC 5 A9:37

December 1, 1986

Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, DC 20463
ATTN: Lois G. Lerner
Associate General Counsel

86 DEC 5 A10:40
GENERAL COUNSEL

RE: Your communication concerning MUR 2276 [Carol York Clinkenbeard], received by us 11/17/86

Ms. Lerner:

I am uncertain what to say about Ms. Clinkenbeard's complaint to you. I can find no allegation in it that the NDPC violated the FECA, or any other laws. The entire letter on its face seems to be the fallout of a domestic dispute.

Our records indicate that Ms. Clinkenbeard [York] contributed $45 to the NDPC in June, 1984, and received a year's subscription to NEW SOLIDARITY, purchased by us. I have no record of having received the Ms. Clinkenbeard's referenced letter of August 8, 1986.

Ms. Clinkenbeard's "complaint" seems to be primarily against her former husband's use of her credit card. She spices that up with references to newspaper articles concerning the current witchhunt against the ideas and policies of Mr. LaRouche and his associates. I suggest that the FEC close this MUR for lack of any substance to the complaint.

Sincerely,

Patricia Salisbury

Patricia Salisbury
Treasurer

87040524056

plm

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1986

Ms. Carol Clinkenbeard
Route 2, Box 64A
Kirksville, MO 63501

Dear Ms. Clinkenbeard:

This letter will acknowledge receipt of your complaint which we received on November 3, 1986, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by the National Democratic Policy Committee, and The LaRouche Campaign. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as the original complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints. We have numbered this matter MUR 2276. Please refer to this number in all future correspondence. If you have any questions, please contact Retha Dixon at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel

Lois G. Lerner

By: Lois G. Lerner
Associate General Counsel

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1986

National Democratic Policy Committee
PO Box 17729
Washington, DC 20041

Re: MUR 2276

Gentlemen:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2276. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the National Democratic Policy Committee in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Laurence Tobey, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Lois G. Lerner

By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel Statement

87040524059

Mum

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1986

The LaRouche Campaign
PO Box 17720
Washington, DC 20041

Re: MUR 2276

Gentlemen:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2276. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against The LaRouche Campaign in this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Laurence Tobey, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Lois G. Lerner

By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel Statement

87040524061

RECEIVED AT THE FEC
GCC#1910
86 NOV 3 P1:08

November 1, 1986

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
86 NOV 3 P12:00

Mr. Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Steele

Enclosed is my returned re-notarized copy of my original complaint, which I submitted 9-26-86 and to which your Deputy, Lawrence M.Noble replied 10-6-86, indicating to me that my letter was "not properly sworn to".

Since your office has retained all my originals, it was necessary to have this copy re-notarized. Although two different notaries were used, they are both employees of the local (Kirksville, MO) branch of Community Federal Savings & Loan Association.

Should you require additional information or attention, please advise accordingly.

Your consideration will be appreciated!

Sincerely

Carol Y. Clinkenbeard

Carol (York) Clinkenbeard
Route #2/Box 64A
Kirksville, MO 63501
816/665-4513

Enclosures

8704052406 2

September 26, 1986

General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Gentlemen

Please consider this notarized complaint and its enclosures in my attempt to recover monies loaned to the National Democratic Policy Committee and/or the (1984) LaRouche Campaign approximately two (2) years ago:

8-4-84	My initial protest letter to the Bank of America advising of the unauthorized use of my VISA Card by my now X-husband.
8-6-84	Bank of America's letter to me advising that my account exceeded my credit limit (due to my husband's LaRouche loans).
8-6-84	VISA statement due date for the $45 subscription to the NDPC's newsletter (this not likely recoverable as neither a loan nor a contribution).
8-13-84	My letter to Bank of American reaffirming my protest & enclosing a check for the two (2) legitimate charges contained in the statement (these 2 non-LaRouche).
9-4-84	My letter (& check for $450) to Bank of America expressing regret that my protest (letter) was not acknowledged but agreeing to pay the amount in question rather than lose my VISA Card & my good credit rating.
9-7-84	VISA statement due date for the $450 in question.

Although I am presently unable to locate same, I have over the past two years received statements from LaRouche headquarters indicating their awareness of the debt & their inability to pay. Also, although I kept no copy of my latest attempted correspondence/communiction with the National Democratic Policy Committee on or about 8-8-86, I have as yet no reply. Although copy costs prevent my including these recent newsclippings, they are certainly newsworthy enough to call my attention to this group of radicals and attempt once again something that may resemble collection:

87040524063

9-20-86 ST LOUIS POST DISPATCH
"LaRouche puts award to NBC into escrow"

9-2-89-2-86 ST LOUIS POST DISPATCH
"Full investigation of LaRouche firm"

8-31-86 KIRKSVILLE DAILY EXPRESS
"Missouri order issued against LaRouche firm"

8-4-86 KANSAS CITY TIMES
"Bank accuses LaRouche of racketeering, stealing"

8-4-86 ST LOUIS POST DISPATCH
"LaRouche accused of fraud"

In conclusion, I must say that I will consider myself fortunate indeed to recover any (much less all) of the monies inadvisedly invested in this questionable (political?) cause; however, with the public's newly awakened interest in LaRouche and with my new unemployed status, I thought it most appropriate to attempt restitution.

Your consideration will be appreciated!

Sincerely

Carol York Clinkenbeard

Carol York Clinkenbeard

Carol (York) Clinkenbeard
Route #2/Box 64A
Kirksville, MO 63501
816/665-4513

Enclosures

Personally, Carol York Clinkenbeard, appeared before me this 31st day of October 1986 who after being duly sworn made oath that the statement made is true.

Brenda K. Hunter

Brenda K. Hunter, NOTARY PUBLIC
BRENDA K. HUNTER, Notary
ADAIR COUNTY, STATE OF MISSOURI
MY COMMISSION EXPIRES OCTOBER 17, 1990

Personally Carol York Clinkenbeard appeared before me this 26th day of September, 1986

Benita Irene Williams

Benita Irene Kanan

Notary Public

BENITA IRENE WILLIAMS, NOTARY PUBLIC
ADAIR COUNTY, STATE OF MISSOURI
MY COMMISSION EXPIRES AUGUST 29, 1988

8704052406 4

RECEIVED AT THE FEC
Acc#1639
86 SEP 29 A9:05

86 SEP 29 A10:40
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

September 26, 1986

General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Gentlemen

Please consider this notarized complaint and its enclosures in my attempt to recover monies loaned to the National Democratic Policy Committee and/or the (1984) LaRouche Campaign approximately two (2) years ago:

8-4-84	My initial protest letter to the Bank of America advising of the unauthorized use of my VISA Card by my now X-husband.
8-6-84	Bank of America's letter to me advising that my account exceeded my credit limit (due to my husband's LaRouche loans).
8-6-84	VISA statement due date for the $45 subscription to the NDPC's newsletter (this not likely recoverable as neither a loan nor a contribution).
8-13-84	My letter to Bank of American reaffirming my protest & enclosing a check for the two (2) legitimate charges contained in the statement (these 2 non-LaRouche).
9-4-84	My letter (& check for $450) to Bank of America expressing regret that my protest (letter) was not acknowledged but agreeing to pay the amount in question rather than lose my VISA Card & my good credit rating.
9-7-84	VISA statement due date for the $450 in question.

Although I am presently unable to locate same, I have over the past two years received statements from LaRouche headquarters indicating their awareness of the debt & their inability to pay. Also, although I kept no copy of my latest ~~attempted~~ correspondence/communiction with the National Democratic Policy Committee on or about 8-8-86, I have as yet no reply. Although copy costs prevent my including these recent newsclippings, they are certainly newsworthy enough to call my attention to this group of radicals and attempt once again something that may resemble collection:

8704052406 5

9-20-86 ST LOUIS POST DISPATCH
"LaRouche puts award to NBC into escrow"

9-2-86 ST LOUIS POST DISPATCH
"Full investigation of LaRouche firm"

8-31-86 KIRKSVILLE DAILY EXPRESS
"Missouri order issued against LaRouche firm"

8-4-86 KANSAS CITY TIMES
"Bank accuses LaRouche of racketeering, stealing"

8-4-86 ST LOUIS POST DISPATCH
"LaRouche accused of fraud"

In conclusion, I must say that I will consider myself fortunate indeed to recover any (much less all) of the monies inadvisedly invested in this questionable (political?) cause; however, with the public's newly awakened interest in LaRouche and with my new unemployed status, I thought it most appropriate to attempt restitution.

Your consideration will be appreciated!

Sincerely

Carol York Clinkenbeard

Carol (York) Clinkenbeard
Route #2/Box 64A
Kirksville, MO 63501
816/665-4513

Enclosures

87040524066

Personally Carol York Clinkenbeard appeared brfore me this 26th day of September,1986

Benita Irene Williams

Benita Irene Kanan

Notary Public

BENITA IRENE WILLIAMS, NOTARY PUBLIC
ADAIR COUNTY, STATE OF MISSOURI
MY COMMISSION EXPIRES AUGUST 29, 1988

August 4, 1984

Bank of America
Card Center
Pasedena, CA 91127

RE: Account #4024-0807-4602-4716 (Carol Stephens York)

Gentlemen

Please consider this my initial protest letter although it doesn't pertain specifically to a charge contained in the enclosed payment check, it does relate to the charge highlighted (See Enclosure #1) and what I believe to be the unauthorized use of my Visa Card.

Upon seeing/hearing unsuccessful Democratic Candidate, Lyndon LaRouche recently on nationwide (but not prime-time) television, my husband suggested we submit our membership fee to his party in order to receive literature relative to his ideas, campaign, etc. At this time, I agreed to allow the use of my Visa Card for same, and we began (& continue) to receive said literature.

Since that time, my husband now tells me, he has been receiving regular calls, soliciting contributions. Once your statement arrived reflecting the initial membership fee (National Democratic Party, that is), he chose to admit to me that he had, in fact, authorized two (2) rather [illegible] contributions ($100 & $350) to the LaRouche Campaign.

He further explained that, although I was not at home at the time, he was able to obtain the necessary information (name & #) from past statement stubs. Since his sister was visiting us at the time, she probably read this information to the caller to lend authenticity to the situation.

Naturally, upon learning of all this, I was both confused and upset. He, however, felt sure he acted appropriately, as he felt I agreed with the literature we'd received & would have agreed to support the LaRouche cause had I been available at the time of these two calls (which occurred within days of each other).

Upon learning of my dilemma, I began to call several Visa reference numbers and was finally advised to write a protest letter upon receipt of my next statement, containing charges relative to the situation.

I realize full well that there may be little, if anything, you or I can do; however, I wanted at least to make the attempt. I further realize that you cannot monitor all telephone solicitation charges; however, I would imagine this must be one of the easiet forms of card misuse/abuse. In any case, if at all possible, I'd like to revoke these $450 worth of charges and to only consider those copies submitted (See Enclosure #2) as evidence of legitimate charges. For that matter, it would appear that this instance of misuse has exceeded my charge limit ($500); I certainly never intended that to happen.

Your consideration is appreciated!

Carol Stephens York

Carol Stephens York

8 7 0 4 0 5 2 4 0 5 7

SPECIAL DELIVERY

MESSAGE SERVICE

(40,20) 22 K55614 10

August 6, 1984

CAROL STEPHENS YORK
RT2
GREENTOP, MO 63546

Bank of America BankCard Account #4024 0807 4602 4716

Dear MS YORK:

Your current balance of $618.79 exceeds your credit limit of $500.00.

Please discontinue purchasing and forward a sufficient payment to reduce the balance within the credit limit.

If, for any reason, you are unable to comply with this request, contact us within five days of receipt of this letter. Unless we hear from you, further action may be taken on your account which may include cancellation.

Please disregard this notice if a payment has already been sent.

Sincerely,

ERMA ROBINSON
Credit Limit Evaluator
818-356-8679

BANK OF AMERICA CARD CENTER
COLLECTION DEPARTMENT #4711-L
101 SOUTH MARENGO AVENUE
PASADENA, CALIFORNIA 91109

8 7 0 4 0 5 2 4 0 6 8

Bank of America NT&SA

SEND BILLING INQUIRIES TO:
BANK CARD CENTER
P.O. BOX 7059
PASADENA, CA
91109

BANKAMERICARD VISA
ACCOUNT NUMBER
4024-0807-4602-4716

NAME
CAROL STEPHENS YORK

BILLING MONTH'S
07-12-84
STATEMENT DATE

FINANCE CHARGE CALCULATION

	NOMINAL ANNUAL PERCENTAGE RATE	MONTHLY PERIODIC RATE
	19.80 %	1.65 %

	AMOUNTS SUBJECT TO CHARGE	RATE	COMPONENTS OF FINANCE CHARGE
PERIODIC CHARGE ON AVERAGE ADJUSTED DAILY BALANCE OF		×1.65 %=	
[illegible]		× %=	
CASH ADVANCE FEE ON TRANSACTIONS OF		×2.00 %=	
[illegible]		% ANNUAL PERCENTAGE RATE	FINANCE CHARGE

ACCOUNT ACTIVITY

PREVIOUS BALANCE		
LESS	PAYMENTS	
	CREDITS	
PLUS DEBITS	SUB TOTAL NEW TRANSACTIONS	90.23
	FINANCE CHARGE	
NEW BALANCE		90.23

CREDIT STATUS
YOUR CREDIT LIMIT IS 500
YOUR CREDIT AVAILABLE IS 409

PAYMENT DUE DATE
08-06-84

TO AVOID ADDITIONAL PERIODIC CHARGES PAYMENT OF THE "NEW BALANCE" MUST BE RECEIVED BY THIS DATE. SUBSEQUENT PAYMENTS WILL BE PAST DUE IF NOT RECEIVED BY THIS DATE.

POSTING DATE	REFERENCE NUMBERS	DESCRIPTIONS	TRANSACTION DATE IF AVAILABLE	DEBITS	PAYMENTS AND CREDITS
0626	40180006	NAT L DEMOCRATIC POLIC NEW YORK NY	0611	45.00	
0711	40110007	P M PLACE CO KIRKSVILLE MO	0630	30.23	
0712		***MEMBERSHIP FEE***		15.00	

4 0 5 2 4 0 6 9

STATEMENT NUMBER	BILLING INQUIRIES	ALL OTHER INQUIRIES	LOST OR STOLEN CARD	TOTAL DEBITS	TOTAL PAYMENTS AND CREDITS
920020959	1-800-423-3811	1-800-423-3811	1-800-423-3823	90.23	
	TELEPHONE: 8:30 AM TO 4:00 PM MON. THRU FRI PACIFIC TIME		24-HOUR TELEPHONE NUMBER		

DP2222 2-84

NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Bank of America NT&SA • Member FD

August 13, 1984

Ms. Erma Robinson
Bank of America Card Center
101 South Marengo Avenue
Pasadena, California 91109

Dear Ms. Robinson

Enclosed are several items which should help explain how my account (#4024 0807 4602 4716) recently exceeded its limit without my knowledge.

Also enclosed is a check for $78.56 for the only two (2) legitimate charges currently on my account but yet unpaid. By now, you have received my most recent payment ($90.23) I would imagine.

These two (2) payments, totalling $168.79, should bring my current balance to $450 (the total of the 2 unauthorized charges) and within the $500 limit.

Your consideration in this regard is appreciated!

Sincerely

Carol S. York

Carol S. York
Route #2
Greentop, Mo. 63546

Enclosures

8704052 4070

CAROL S (STEPHENS) YORK
SSN 494-50-2056
ROUTE #2 ~~1307 S. WABASH 665-5983~~
GREENTOP ~~KIRKSVILLE, MO 63501~~
MO 63546

262

Aug. 13 1984

80-7342
2810

PAY TO THE ORDER OF Bank of America $ 78 56

Seventy-eight + 56/100 DOLLARS

Community Federal
SAVINGS AND LOAN ASSOCIATION
KIRKSVILLE, MISSOURI 63501
PAYABLE THROUGH COMMUNITY FEDERAL, ST. LOUIS, MISSOURI

MEMO

Carol S. York

⑆28107342⑈ 53 5164 0422⑈ 0262

September 4, 1984

Bank of America
Card Center/POBox 7059
Pasadena, CA 91127

Gentlemen

Enclosed is my most recent payment ($450 check), along with a copy of my "next most recent" payment ($78.56) which was sent to:

Ms. Erma Robinson
Bank of Am. Card Center
101 S. Marengo Ave.
Pasadena, CA 91109

I regret that my early request (to revoke this $450 charge) was/has been denied; however, I can well understand your situation, as well. This has doubtless taught me a valuable/expensive lesson in marital communications & telephone solicitations. Thanks anyway! Naturally, I would rather pay a charge that is not rightfully mine than risk besmirching my credit and/or losing my (Visa) Card.

Sincerely

Carol S. York

Carol S. York
Route #2
Greentop, MO. 63546

Enclosures

8 7 0 4 0 5 2 4 0 7 1

CAROL S. (STEPHENS) YORK
SSN 404-80-2055
1607 S. WABASH 665-5998
KIRKSVILLE, MO 63501

ROUTE #2
GREENTOP
MO 63546

276

Sept. 7 1984

80-7342
2810

PAY TO THE ORDER OF Bank of America $450.00

Four hundred fifty + 00/100 DOLLARS

Community Federal
SAVINGS AND LOAN ASSOCIATION
KIRKSVILLE, MISSOURI 63501
AVAILABLE THROUGH COMMUNITY FEDERAL, ST. LOUIS, MISSOURI

MEMO

Carol S. York

⑆281073429⑆ 53 5164 0422⑈ 0276

Bank of America NT&SA

SEND BILLING INQUIRIES TO:
BANK CARD CENTER
P.O. BOX 7059
PASADENA, CA
91109

BANKAMERICARD VISA
ACCOUNT NUMBER
4024-0807-4602-4716

NAME
CAROL STEPHENS YORK

THIS MONTH'S
08-13-84
STATEMENT DATE

FINANCE CHARGE CALCULATION	NOMINAL ANNUAL PERCENTAGE RATE	(MONTHLY) PERIODIC RATE
	19.80 %	1.65 %

	AMOUNTS SUBJECT TO CHARGE	RATE	COMPONENTS OF PERIODIC CHARGE
PERIODIC CHARGE ON AVERAGE ADJUSTED DAILY BALANCE OF		× 1.65 %=	
TRANSFER & CHECK SERVICE FEE ON TRANSACTIONS OF		× %=	
CASH ADVANCE FEE ON TRANSACTIONS OF		× 2.00 %=	

TOTAL OF AVERAGE ADJUSTED DAILY BALANCE, CASH ADVANCES AND TRANSFER AND CHECK SERVICE TRANSACTIONS ON WHICH COMPONENTS OF FINANCE CHARGE WERE CALCULATED.

% ANNUAL PERCENTAGE RATE	FINANCE CHARGE

ACCOUNT ACTIVITY

PREVIOUS BALANCE		90.23
LESS	PAYMENTS	90.23
	CREDITS	
	SUB TOTAL	
PLUS DEBITS	NEW TRANSACTIONS	528.56
	FINANCE CHARGE	
NEW BALANCE		528.56

CREDIT STATUS
YOUR CREDIT LIMIT IS 500
YOUR CREDIT AVAILABLE IS 0

PAYMENT DUE DATE
09-07-84

TO AVOID ADDITIONAL PERIODIC CHARGES PAYMENT OF THE "NEW BALANCE" MUST BE RECEIVED BY THIS DATE. MINIMUM PAYMENTS WILL BE FIRST DUE IF NOT RECEIVED BY THIS DATE.

POSTING MO. DAY	REFERENCE NUMBERS	DESCRIPTIONS			TRANSACTION DATE IF AVAILABLE	DEBITS	PAYMENTS AND CREDITS
0716	40180007	NAT L DEMOCRATIC POLIC	NEW YORK	NY	0708	100.00	
0723	42170007	THE LAROUCHE CAMPAIGN	NEW YORK	NY	0718	100.00	
0723	42170007	THE LAROUCHE CAMPAIGN	NEW YORK	NY	0718	250.00	
0725	40160007	P M PLACE CO	KIRKSVILLE	MO	0719	38.49	
0801	40160007	P M PLACE CO	KIRKSVILLE	MO	0725	40.07	
0806	52259172	PAYMENT - THANK YOU					90.23

STATEMENT NUMBER	BILLING INQUIRIES	ALL OTHER INQUIRIES	LOST OR STOLEN CARD	TOTAL DEBITS	TOTAL PAYMENTS AND CREDITS
920019568	1-800-423-3811	1-800-423-3811	1-800-423-3823	528.56	90.23
	TELEPHONE: 8:30 AM TO 4:00 PM MON. THRU FRI PACIFIC TIME		24-HOUR TELEPHONE NUMBER		

EDP-2222 2/84

NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION

Bank of America NT&SA • Member

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2276

Date Filmed 1/29/87 Camera No. --- 2

Cameraman AS

8704052407 3

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

2/13/87

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 2276.

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - [x] Show to whom and date delivered ..... ___¢
   - [ ] Show to whom, date, and address of delivery.. ___¢
2. [ ] RESTRICTED DELIVERY ___¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $ ___

3. ARTICLE ADDRESSED TO:
Carol H. Clinkenbeard
Route 2, Box 64
Kirksville, MO 63501

4. TYPE OF SERVICE:
   - [ ] REGISTERED
   - [x] CERTIFIED
   - [ ] EXPRESS MAIL
   - [ ] INSURED
   - [ ] COD

ARTICLE NUMBER
943859

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE [ ] Addressee [ ] Authorized agent

5. DATE OF DELIVERY

POSTMARK

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

AUG 27 A 9:43

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☒ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. ARTICLE ADDRESSED TO:
[illegible]

4. TYPE OF SERVICE:
   - ☐ REGISTERED ☐ INSURED
   - ☒ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER
943860

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. DATE OF DELIVERY

POSTMARK

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RECEIVED
JAN 1 1983
BOSTON, MASS.

[illegible]

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered ..... ___¢

☐ Show to whom, date, and address of delivery .. ___¢

2. ☐ RESTRICTED DELIVERY ___¢
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $ 1

JAN 16 A10:23

3. ARTICLE ADDRESSED TO:
[illegible]

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
943858

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

01-12-87

5. DATE OF DELIVERY
[illegible]

POSTMARK
WASHINGTON DC DULLES INT'L STA
JAN 12 1987
USPO

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS
[illegible]