FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1202

Date Filmed 2/11/82 Camera No. --- 2

Cameraman DPC

MUR 1202

FEDERAL ELECTION COMMISSION

Addresses of party and
~~Names of parties not~~ witnesses,

Name of Bank Account ~~not~~ held by people not involved in MUR Investigative information of other on-going MUR

Checks of people not involved in MUR

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
____	(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)
✓	(5) Internal Documents		

Signed [signature]

date 10/28/81

FEC 9-21-77

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 22, 1981

Mr. Campbell Evans

RE: MUR 1202

Dear Mr. Evans:

This is to advise you that after an investigation was conducted, the Commission concluded on October 14, 1981, that there is no probable cause to believe that you violated the Act. Accordingly, the file in this matter, numbered MUR 1202, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois Lerner at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Mr. Campbell Evans

RE: MUR 1202

Dear Mr. Evans:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1981, that there is no probable cause to believe that you violated the Act. Accordingly, the file in this matter, numbered MUR 1202, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois Lerner at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1202
Campbell Evans)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 16, 1981, the Commission decided by a vote of 5-0 to take the following actions regarding MUR 1202:

1. Find NO PROBABLE CAUSE TO BELIEVE that Campbell Evans violated 2 U.S.C. § 441a.

2. Find NO PROBABLE CAUSE TO BELIEVE that Campbell Evans violated 2 U.S.C. § 441f.

Commissioners Aikens, Harris, Reiche, Thomson and Tiernan voted affirmatively in this matter; Commissioner McGarry did not cast a vote.

Attest:

10/16/81
Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of the Commission Secretary: 10-13-81, 2:55
Circulated on 48 hour vote basis: 10-14-81, 11:00

BEFORE THE FEDERAL ELECTION COMMISSION
October 6, 1981

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In The Matter of)
) MUR 1202
Campbell Evans)

81 OCT 13 P2: 55

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

This matter arises out of the Audit Division's review of the fifth matching fund submission of Citizens for LaRouche covering the period from February 10 through February 22, 1980. During that review the auditors discovered a $1000 cashier's check which was altered to change the name of the remitter (purchaser) from "CAMPBELL EVANS - CITIZENS FOR LAROUCHE" to "JOE WATTIGNEY JR." by crossing out the former. Commission records revealed that Mr. Evans had previously made a $1000 contribution to Citizens for LaRouche. Based on that evidence, on April 29, 1980 the Commission found reason to believe that Mr. Evans violated 2 U.S.C. § 441f by making a contribution in the name of Mr. Wattigney, and 2 U.S.C. § 441a by contributing in excess of the $1000 limit. An investigation ensued and, on August 10, 1981, Mr. Evans was sent a copy of the General Counsel's brief recommending that the Commission find no probable cause to believe he violated 2 U.S.C. §§ 441a and 441f. Mr. Evans has not responded to that brief.

II. LEGAL ANALYSIS

See Office of General Counsel's Brief of August 7, 1981.

III. RECOMMENDATION

1) The Commission should find no probable cause to believe that Campbell Evans violated 2 U.S.C. § 441a.

2) The Commission should find no probable cause to believe that Campbell Evans violated 2 U.S.C. § 441f.

Oct 12, 1981
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

Letter to Respondent

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Campbell Evans

RE: MUR 1202

Dear Mr. Evans:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1981, that there is no probable cause to believe that you violated the Act. Accordingly, the file in this matter, numbered MUR 1202, has been closed. This matter will become part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days.

If you have any questions, contact Lois Lerner at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

81 AUG 10 A9:51

August 10, 1981

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1202

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe was mailed on August 10 , 1981. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

Brief
Letter to Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1202
Campbell Evans)

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

This matter arises out of the Audit Division's review of the fifth matching fund submission of Citizens for LaRouche covering the period from February 10 to February 22, 1980. In the course of that review, the Audit Division discovered a $1,000 cashier's check which was altered to change the name of the remitter (purchaser) from "CAMPBELL EVANS - CITIZENS FOR LAROUCH JR." to "JOE WATTIGNEY JR." by crossing out the former. In addition, records on file with the Commission revealed that Mr. Evans had previously made a $1,000 contribution to Citizens for LaRouche. Based on this evidence, the Commission on April 29, 1980 found reason to believe that Mr. Evans violated 2 U.S.C. § 441f by making a contribution in the name of Mr. Wattigney and 2 U.S.C. § 441a by contributing in excess of the $1,000 limit.

An investigation into these findings resulted in correspondence with the Greenway Bank and Trust, the bank which issued the cashier's check in question. In response to a Commission inquiry concerning the cashier's check (see letter dated June 10, 1981 attached as Exhibit I), Peggy Hollis, Assistant Vice President of the bank submitted a sworn statement. Statement of Peggy Hollis is attached as Exhibit II. In her response, Mrs. Hollis states that the cashier's check in question "came out of the money due to Joe Wattigney." Exhibit II at 1. Mrs. Hollis further explains that it was her doing in crossing out the remitter line thinking that the cashier's check was being purchased by Mr. Evans. Exhibit II at 1.

II. Legal Analysis

2 U.S.C. § 441f states in part:

> No person shall make a contribution in the name of another person.

2 U.S.C. § 441a(a)(1)(A) states:

> No person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed $1,000.

Based on the sworn statement of Peggy Hollis and her assertion based on her knowledge that the cashier's check in question was purchased with funds of Joseph Wattigney, the Commission should find no probable cause to believe that Campbell Evans violated 2 U.S.C. §§ 441a and 441f. Inasmuch as the money at issue is the personal funds of Mr. Wattigney, Mr. Evans cannot be found to have violated these sections of the Act.

III. Recommendation

The Commission should find no probable cause to believe that Campbell Evans violated 2 U.S.C. §§ 441a and 441f.

7 August 1981
Date

Charles N. Steele
General Counsel

Attachments
Exhibits I - letter dated 6/10/81 to Peggy Hollis
Exhibit II - Response of Peggy Hollis dated 6/19/81

FEDERAL ELECTION COMMISSION

June 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Hollis, Assistant Vice President
Greenway Bank and Trust
Box 22758
Houston, Texas 77027

RE: MUR 1202

Dear Mrs. Hollis:

The Commission requests that you confirm a telephone conversation of June 3, 1981 with Robert Bogin. During that telephone conversation, Mr. Bogin understood you to state with respect to a cashier's check issued by the Greenway Bank and Trust numbered 195087 1130 0151 099 880, the following:

1. On or about February 5, 1980, Campbell Evans withdrew $1,000 from an escrow account entitled

2. The monies withdrawn from this escrow account were the personal funds of C. Campbell Evans.

3. Campbell Evans handed the $1,000 to Joseph Wattigney, Jr.

4. Mr. Wattigney proceeded to purchase a cashier's check for $1,000.

5. You were behind the cashier's window at this time and it was you that typed "C. Campbell Evans - Citizens for LaRouche Jr." on the remitter line thinking that the cashier's check was being purchased by Mr. Evans.

6. Upon instruction from Mr. Evans, you crossed out the remitter line and below the cross out you typed Joe Wattigney, Jr. as the remitter.

Exhibit I

The Commission requests that you attach a statement under oath testifying to the truth of the statements numbered 1-6. If any information stated is incorrect, please supply the correct information. If you cannot testify to the truth of a particular statement, please so state.

Please direct any questions that you may have to Robert Bogin at (202) 523-4000. The Commission requests that you submit your statement within 10 days of receipt of this letter.

Thank you for your assistance.

Sincerely,

Charles N. Steele
General Counsel

by: Kenneth A. Gross
Associate General Counsel

2 of 2

Greenway Bank & Trust

Box 22755 • Houston, Texas 77027 • 713/622-7010

June 19, 1981

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gross: RE: MUR 1202

Please find enclosed photocopies of the transaction of which you inquire. We have permission from our customer for you to have these in your file.

Listed below are the answers to your questions.

1. Not correct. Mr. Evans withdrew considerably more the $1,000.00 from the escrow account entitled [illegible]

2. Not correct. Monies in an escrow account are not the personal monies of C. Campbell Evans. He is only acting as Fudiciary Agent for a Joint Venture.

3. Not correct. As there was a great deal of money involved, there was no cash handled. See Debit in photocopy.

4. Correct

5. Correct

6. Correct

Please refer to the Assignment of Interest, Oil, Gas and Mineral Lease. Joe Wattingney, Jr. sold his interest for $32,480.00. He had to pay two debts. The total amount Joe Wattigney would have received would be $13,918.31. Instead of taking the cash, he wanted Cashiers Checks. The Cashiers Check in question came out of the money due to Joe Wattigney.

Sincerely,

Peggy Hollis
Assistant Vice President

PH/bim

Enclosures

Exhibit II

This is to certify that the answers put forth in this inquiry are true and exact to the best of my knowledge.

Signed ______________________________

Peggy Hollis, Assistant Vice President
Greenway Bank & Trust of Houston

Subscribed and sworn to me this 19th day of June 1981

Barbara Morris

Notary Public
In and for Harris County, Texas

My Commission expires 11/21/81

2 of 5

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND — NOT A WHITE BACKGROUND

Greenway Bank & Trust
of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS
The purchase of an Indemnity Bond will be required before this check will be replaced or refunded in the event it is lost, misplaced or stolen.

No. 195087

[illegible] 83

REMITTER: [illegible]
JOE WATTIGNEY JR.

PAY

[redacted] $ -1,000.00

COPY NOT NEGOTIABLE

TO THE ORDER OF

CITIZENS FOR LA ROUCH, JR. *** ******

CASHIER'S CHECK

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK — HOLD AT AN ANGLE TO VIEW

ASSIGNMENT OF INTEREST
OIL, GAS AND MINERAL LEASE

STATE OF TEXAS X
X
COUNTY OF MATAGORDA X KNOW ALL MEN BY THESE PRESENTS:

THAT Joseph A. Wattigney, Jr. of Houston, Texas, is the owner of an undivided .020000 of a .750000 net revenue working interest in and to the Oil, Gas & Mineral Lease described in Exhibit "A" hereto attached, said interest being duly recorded in the Deed Records of Matagorda County, Volume 636, Page 210 and 211.

For a valuable consideration the receipt and sufficiency of which being hereby acknowledged, Joseph A. Wattigney, Jr., Assignor, has granted, sold, transferred and assigned and does hereby grant, sell, transfer and assign and undivided .010000 of a .750000 net revenue working interest unto Nor-Quest Resources Ltd., a corporation duly organized and qualified to do business in the Province of British Columbia, Canada, with offices at 102 Piper Crescent, Nanaimo, British Columbia, in and to the said Oil, Gas & Mineral Lease described in Exhibit "A", hereto attached, together with a like interest in and to any and all personal property, equipment, and other facilities located on or used in connection with such lease and the operation thereof.

To have and to hold same unto the above named Assignee, its successors and assigns in accordance with the terms hereof and of the origianl lease, as described in Exhibit "A".

Assignor warrants the title to the above described working interest to the extent above shown, by, through and under Assignor and not otherwise.

IN WITNESS WHEREOF, this instrument has been executed on this 1st day of February, 1980.

Joseph A. Wattigney, Jr.

STATE OF TEXAS X
X
COUNTY OF HARRIS X

Before me, the undersigned authority, a Notary Public in and for the aforesaid County and State, on this day personally appeared Joseph A. Wattigney, Jr. of Houston, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 1st day of February, 1980.

Mary E. Wallington
Notary Public in and for Harris County, Texas

My Commission Expires: July 27, 1980

MARY E. WALLINGTON
Notary Public in Harris County, Texas
My Commission Expires July 27, 1980

5 of 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 10, 1981

Mr. Campbell Evans

RE: MUR 1202

Dear Mr. Evans:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities and information supplied by you, the Federal Election Commission, on April 29, 1980, found reason to believe that you had violated 2 U.S.C. §§ 441a and 441f, provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of the matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel.

Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Robert Bogin at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

Greenway Bank & Trust
Box 22758 • Houston, Texas 77027 • 713/622-7010

June 19, 1981

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Gross: RE: MUR 1202

Please find enclosed photocopies of the transaction of which you inquire. We have permission from our customer for you to have these in your file.

Listed below are the answers to your questions.

1. Not correct. Mr. Evans withdrew considerably more the $1,000.00 from the escrow account entitled [illegible]

2. Not correct. Monies in an escrow account are not the personal monies of C. Campbell Evans. He is only acting as Fudiciary Agent for a Joint Venture.

3. Not correct. As there was a great deal of money involved, there was no cash handled. See Debit in photocopy.

4. Correct

5. Correct

6. Correct

Please refer to the Assignment of Interest, Oil, Gas and Mineral Lease. Joe Wattingney, Jr. sold his interest for $32,480.00. He had to pay two debts. The total amount Joe Wattigney would have received would be $13,918.31. Instead of taking the cash, he wanted Cashiers Checks. The Cashiers Check in question came out of the money due to Joe Wattigney.

Sincerely,

Peggy Hollis
Assistant Vice President

PH/clm

Enclosures

This is to certify that the answers put forth in this inquiry are true and exact to the best of my knowledge.

Signed Peggy Hollis
Peggy Hollis, Assistant Vice President
Greenway Bank & Trust of Houston

Subscribed and sworn to me this 19th day of June 1981

Barbara Morris
Notary Public
In and for Harris County, Texas

My Commission expires 11/21/81

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OIL, GAS AND MINERAL LEASE

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X
COUNTY OF MATAGORDA X KNOW ALL MEN BY THESE PRESENTS:

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To have and to hold same unto the above named Assignee, its successors and assigns in accordance with the terms hereof and of the origianl lease, as described in Exhibit "A".

Assignor warrants the title to the above described working interest to the extent above shown, by, through and under Assignor and not otherwise.

IN WITNESS WHEREOF, this instrument has been executed on this 1st day of February, 1980.

Joseph A. Wattigney, Jr.
Joseph A. Wattigney, Jr.

STATE OF TEXAS X
X
COUNTY OF HARRIS X

Before me, the undersigned authority, a Notary Public in and for the aforesaid County and State, on this day personally appeared Joseph A. Wattigney, Jr. of Houston, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 1st day of February, 1980.

Mary E. Wallington
Notary Public in and for Harris County, Texas

My Commission Expires: July 27, 1980

MARY E. WALLINGTON
Notary Public in Harris County, Texas
My Commission Expires July 27, 1980

[illegible] COLORED BACKGROUND - NOT A WHITE BACKGROUND

Greenway Bank & Trust
of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS
The purchase of an Indemnity Bond will be required before this check will be replaced or refunded in the event it is lost, misplaced or stolen.

No. 195087

[illegible] 80

REMITTER
[illegible] JR.

PAY [illegible] $ -1,000.00

COPY NOT NEGOTIABLE

TO THE ORDER OF
[illegible] LA [illegible], JR. *** ******

CASHIER'S CHECK

[illegible]

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Hollis, Assistant Vice President
Greenway Bank and Trust
Box 22758
Houston, Texas 77027

RE: MUR 1202

Dear Mrs. Hollis:

The Commission requests that you confirm a telephone conversation of June 3, 1981 with Robert Bogin. During that telephone conversation, Mr. Bogin understood you to state with respect to a cashier's check issued by the Greenway Bank and Trust numbered 195087 1130 0151 099 880, the following:

1. On or about February 5, 1980, Campbell Evans withdrew $1,000 from an escrow account entitled [illegible].

2. The monies withdrawn from this escrow account were the personal funds of C. Campbell Evans.

3. Campbell Evans handed the $1,000 to Joseph Wattigney, Jr.

4. Mr. Wattigney proceeded to purchase a cashier's check for $1,000.

5. You were behind the cashier's window at this time and it was you that typed "C. Campbell Evans - Citizens for LaRouche Jr." on the remitter line thinking that the cashier's check was being purchased by Mr. Evans.

6. Upon instruction from Mr. Evans, you crossed out the remitter line and below the cross out you typed Joe Wattigney, Jr. as the remitter.

Letter to Peggy Hollis
Page Two
MUR 1202

The Commission requests that you attach a statement under oath testifying to the truth of the statements numbered 1-6. If any information stated is incorrect, please supply the correct information. If you cannot testify to the truth of a particular statement, please so state.

Please direct any questions that you may have to Robert Bogin at (202) 523-4000. The Commission requests that you submit your statement within 10 days of receipt of this letter.

Thank you for your assistance.

Sincerely,

Charles N. Steele
General Counsel

by: [signature]
Kenneth A. Gross
Associate General Counsel

MUR 1202 6/10/81

PS Form 3811, Jan. 1979 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered
- ☐ Show to whom, date and address of delivery
- ☐ RESTRICTED DELIVERY Show to whom and date delivered
- ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Peggy Hollis
Box 22758
Houston TX 77027

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	0E3854	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent

4. R J B
DATE OF DELIVERY — POSTMARK: 1981 JUN ... HOUSTON, TX

5. ADDRESS (Complete only if requested)

81 JUN 23 A11 : 56

6. UNABLE TO DELIVER BECAUSE: — CLERK'S INITIALS: M8

GPO : 1979-300-459

RECEIVED

Bogin

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Hollis, Assistant Vice President
Greenway Bank and Trust
Box 22758
Houston, Texas 77027

RE: MUR 1202

Dear Mrs. Hollis:

The Commission requests that you confirm a telephone conversation of June 3, 1981 with Robert Bogin. During that telephone conversation, Mr. Bogin understood you to state with respect to a cashier's check issued by the Greenway Bank and Trust numbered 195087 1130 0151 099 880, the following:

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Letter to Peggy Hollis
Page Two
MUR 1202

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Please direct any questions that you may have to Robert Bogin at (202) 523-4000. The Commission requests that you submit your statement within 10 days of receipt of this letter.

Thank you for your assistance.

Sincerely,

Charles N. Steele
General Counsel

by: ______________________
Kenneth A. Gross
Associate General Counsel

RB 6/8/81

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY mwe mc
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: MARCH 2, 1981

SUBJECT: MUR 1202 - Interim Investigative Report #1, dated 2-23-81; Signed 2-25-81

The above-named document was circulated to the Commission on a no-objection basis at 2:00, February 27, 1981.

There were no objections to the Interim Investigative Report at the time of the deadline.

8 2 0 4 0 3 0 4 7 1 4

BEFORE THE FEDERAL ELECTION COMMISSION
February 23, 1981

In the Matter of	)	
	)	MUR 1202
Campbell Evans	)	

INTERIM INVESTIGATIVE REPORT #1

On January 19, 1981, the Commission authorized an order to answer questions be sent to witness Joseph Wattigney. Such an order with cover letter was sent certified mail, return receipt requested on January 22, 1981. The Commission's letter was returned unclaimed on February 18, 1981. The letter is being resent by certified mail and a copy of the letter is being sent by first-class mail. Should these letters also be returned, the Commission might consider private process service.

25 February 1981
Date

Charles N. Steele
General Counsel

81 FEB 26 P2: 38

8 2 0 4 0 3 0 4 7 1 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 22, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph A. Wattigney, Jr.

RE: MUR 1202

Dear Mr. Wattigney:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter; but rather as a witness only.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

If you have any questions please direct them to Robert Bogin, the attorney handling this matter, at 202/523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Order
Questions

8 2 0 4 0 3 0 4 7 1 5

MEMORANDUM

TO: Docket / Samanda

FROM: Bob Bogin

SUBJECT: MUR 1202 - Certified Letter - Unclaimed (addressed to Joseph A. Wattigney, Jr.)

Please resend letter by certified mail and send a copy by first class mail.

Thank-You

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph A. Wattigney, Jr.

RE: MUR 1202

Dear Mr. Wattigney:

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You may consult with an attorney and have an attorney assist you in the preparation of your response to this order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

If you have any questions please direct them to Robert Bogin, the attorney handling this matter, at 202/523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Order
Questions

RB 1/21/81

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter	)	
	)	MUR 1202
Campbell Evans	)	

ORDER TO SUBMIT WRITTEN ANSWERS

TO: Joseph A. Wattigney, Jr.

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on the 21st day of January, 1981.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment
Questions

FEDERAL ELECTION COMMISSION

QUESTIONS

JOSEPH A. WATTIGNEY, JR. . . . . MUR 1202(80)

1. Have you ever made a contribution(s) to a political committee named Citizens for LaRouche?

2. If the answer to question 1 is in the affirmative, please state the amount of your contribution(s)?

3. How did you make your contribution(s) to Citizens for LaRouche?

4. Do you know an individual by the name of Campbell Evans?

5. Did you ever give Campbell Evans $1,000.00 in cash for the purpose of purchasing a cashier's check for $1,000.00 payable to Citizens for LaRouche?

6. Can you identify cashier's check No. 195087 (copy attached to these questions) as the cashier's check purchased by Campbell Evans for you?

7. Where were you at the time cashier's check No. 195087 was purchased?

8. Why did Campbell Evans purchase cashier's check No. 195087 for you?

9. Can you explain why the remitter line of cashier's check No. 195087 is crossed out?

Joseph A Wattigney, Jr.
Page Two
Questions - MUR 1202(80)

10. Did you instruct Campbell Evans to purchase cashier's check No. 195087 for you?

11. Was the $1,000.00 used to purchase cashier's check No. 195087 your personal funds?

12. Was the money which was used to purchase cashier's check No. 195087 withdrawn from an escrow account entitled
Account?

13. Were the funds deposited in an account entitled

your personal funds? If so, please explain how your personal funds were deposited into this escrow account?

14. Are you a customer of the Greenway Bank and Trust of Houston?

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY. mc

DATE: JANUARY 21, 1981

SUBJECT: ORDER IN RELATION TO MUR 1202

The attached order, approved by a vote of 6-0 on January 19, 1981, has been signed and sealed this date;

ATTACHMENT:
Order - Wattigney

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1202
Joseph Wattigney, Jr.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 19, 1981, the Commission authorized by a vote of 6-0 sending the order and cover letter to Joseph Wattigney, Jr., as submitted with the General Counsel's January 15, 1981, memorandum.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson, Tiernan voted affirmatively in this matter.

Attest:

1/21/81 Marjorie W. Emmons

Date

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 1-15-81, 12:16
Circulated on 48 hour vote basis: 1-15-81, 4:00

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

81 JAN 15 P12: 18

January 15, 1981

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: Authorization to Issue Order in Connection with MUR 1202 (80)

On April 29, 1980, the Commission found reason to believe that Campbell Evans violated 2 U.S.C. § 441f by contributing $1,000 in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche. Inasmuch as Mr. Evans had also contributed $1,000 in his own name, the Commission found reason to believe that respondent violated 2 U.S.C. § 441a (1)(A) by making excessive contributions. The Commission made these findings after a review of the written instrument which effected the Evans-Wattigney contribution, a cashier's check, revealed that the remitter had been altered by X-ing over "Campbell Evans - Citizens for LaRouch, Jr.," (sic) and typing "Joe Wattigney, Jr." immediately below the crossed out remitter.

A second set of Written Questions Under Oath were sent to the bank issuing the cashier's check in question. Attached are the answers submitted by the bank. (Attachment I). In response to Questions 4 and 5, the bank stated that the cashier's check was issued as a means of withdrawing funds en on deposit in an escrow account entitled [illegible] Account. The bank states that monies were deposited into this account for Mr. Joe Wattigney, Jr., and that Mr. Wattigney is actually the purchaser of the check. This information might be inconsistent with information supplied by the respondent. In a letter dated May 12, 1980, Campbell Evans states that Joseph Wattigney handed Evans $1,000.00 in cash.

In order to clear up the apparent inconsistency uncovered in this investigation, it is the recommendation of the Office of General Counsel that written questions be submitted to Joseph Wattigney. The answers to these questions will most likely clarify the circumstances surrounding the $1,000 contributions to Citizens for LaRouche.

Recommendation

Authorize the attached order and cover letter to Joseph Wattigney, Jr.

Attachments:

Copy of Response from bank - I
Copy of letter from respondent - II
Authorization Form
Order
Questions
Letter to Joseph Wattigney, Jr.

Bogin

CCC# 3601

80 DEC 18 P12: 31

Greenway Bank & Trust

Box 22758 • Houston, Texas 77027 • 713/622-7010

December 10, 1980

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 1202

Dear Mr. Gross:

Enclosed are the completed anwers to written questions concerning Cashiers Check # 195987 issued at Greenway Bank & Trust. The remitter of the check is not a customer of the bank, but the funds for the check came out of an escrow account of which our customer Campbell Evans is the agent. (See Questions & Answers for explanation).

Please accept our apologies for omitting the sworn affidavit in the first inquiry. It was simply an honest oversight on our part. The proper papers are enclosed in this letter.

If we may be of further help in this matter, please contact me.

Sincerely,

Peggy Hollis

Peggy Hollis
Assistant Vice President

PH/blm

Enc. (s)

80 DEC 18 P3: 23

pg 1 of 7

Attachment I

8 2 0 4 0 3 0 4 7 2 6

This is to certify that the answers put forth in this inquiry are true and exact to the best of my knowledge.

Signed ______________________ Date: 12/10/80
Peggy Hollis, Assistant Vice President
Greenway Bank & Trust of Houston

Subscribed and Sworn to me this 10 day of December 1980.

____
Notary State of Texas

Barbara Morris
My Commission Expires: 11/21/81

8204034727

pg 2 of 7

FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and have a sworn affidavit verifying those answers signed by the appropriate bank official and notarized.

You are required to submit your answers written ten (10) days of your receipt of these questions.

You are hereby advised of the provisions of 2 U.S.C. § 437g (a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth your answers in the spaces provided below each question and return this original with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not attach any bank records to your answers or provide any information not requested by the questions.

For the purposes of these written questions, the term "cashier's check" refers to a cashier's check issued by the Greenway Bank and Trust of Houston, Houston, Texas bearing the following series of numbers across the bottom: 195087 1130 0151 099 880.

For the purposes of these written questions, the term "Greenway Bank and Trust customer" is defined as any person in whose name an account is maintained in the Greenway Bank and Trust.

1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

yes

8 2 0 4 0 3 0 4 7 2 8

pg 3 of 7

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

SEE ATTACHED LETTER FOR ANSWER

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

YES.

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

SEE ATTACHED LETTER FOR ANSHER

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

8 2 0 4 0 3 0 4 7 ? ?

8. If your answers to Questions 1, 4 and 6 are all in the negative, please set forth all of the facts and circumstances surrounding the issuance of the cashier's check.

9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

YES

10. If your answer to Question 9 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each account.

SEE ATTACHED LETTER FOR ANSWER

11. If your answer to Question 9 is in the negative, please state the name of the person into whose physical possession you transferred the cashier's check.

12. Please set forth the names of every employee or agent of the Greenway Bank and Trust who has personal knowledge of any of the facts set forth in your answers, excluding any persons whose knowledge is based solely upon examination of documents.

PEGGY HOLLIS   BARBARA MORRIS

13. Please set forth the name of the bank employee who physically transferred possession of the cashier's check to the individual identified in answer to Question 9 or 11, as appropriate, or, if you do not know, please set forth the names of every female teller who was on duty at the issuing branch on the day that the cashier's check was issued.

PEGGY HOLLIS

8 3 0 4 0 3 0 4 7 3 0

Answer to Question 2.

This account is an Escrow Account entitled
Account.
Monies were deposited into the account for Mr. Joe Wattingney, Jr. Actually Mr. Evans did not purchase the Cashiers Check in question with his money. He was instructed by Mr. Wattigney to issue the Check. I, Peggy Hollis made the clerical error to typing Campbell Evans name on the top of the check as purchaser rather than Joe Wattigney. The error was corrected on the original check and not at a later date.

Answer to Question 5.

The account is entitled . Account.
The account is an Escrow Account. Funds were deposited into the account for Joe Wattingey, Jr. He sold undivided interest of .020000 of a .750000 net revenue working interest in oil, gas and mineral lease to Norquest Resources Ltd. which Campbell Evans is the agent for them.
Joe Wattigney, Jr is actually the purchaser of the check.

Answer to Question 10.

Cashiers Check was given to our Customer, but for Joe Wattigney who is not our customer.

BANK COPY

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND — NOT A WHITE BACKGROUND

Greenway Bank & Trust
of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS

The purchase of [an] indemnity Bond will be required before this check will be replaced or refunded in the event it is lost, misplaced or stolen.

No. 195087

REMITTER [illegible]
JOE WATTIGNEY JR.

PAY .00 $ 1,000.00

COPY NOT NEGOTIABLE

TO THE ORDER OF CITIZENS FOR LA ROUCH, JR. * * * * * * * * *

CASHIER'S CHECK

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK — HOLD AT AN ANGLE TO VIEW

⑈195087⑈ ⑆1130⑉0151⑆ 099 880⑈ ⑈0000100000⑈

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND — NOT A WHITE BACKGROUND

Greenway Bank & Trust
of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS

No. 195087

REMITTER [illegible]
JOE WATTIGNEY JR.

PAY $ 1,000.00

TO THE ORDER OF CITIZENS FOR LA ROUCHE JR. * * * * * * * *

CASHIER'S CHECK

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK — HOLD AT AN ANGLE TO VIEW

⑈195087⑈ ⑆1130⑉0151⑆ 099 880⑈ ⑈0000100000⑈

pg 7 of 7

campbell evans

OGC# 1346
80 MAY 1? AM 11:23
Smith

May 12, 1980

Mr. Kevin H. Smith,
Attorney
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1202

Dear Mr. Smith:

In response to correspondence dated May 1, 1980, please be advised that the contribution of $1,000.00 made February 5, 1980, in the name of Joseph A. Wattigney, Jr. to Citizens for LaRouche was in fact remitted by Mr. Wattigney. The reason for the typographical error was that Mr. Wattigney was at my bank, Greenway Bank & Trust, with me on the day the cashiers' check was purchased. Mr. Wattigney handed me $1,000.00 in cash which I handed to the girl in collections along with my personal transactions and she thought that I was the remitter, therefore my name appears crossed out and Mr. Wattigney's was inserted which was the way it should have been originally. Mr. Wattigney is prepared to issue a sworn statement supporting this.

As to the other allegation contained in the correspondence of May 1, 1980, please be advised that I am unaware of making a second contribution to Citizens for LaRouche. If I did so, it was in error and if you can give me the information on the additional contribution of $1,000.00 then I will be happy to request a refund from Citizens for LaRouche of such contribution.

Thank you for your prompt attention to my request. If you have any questions, please do not hesitate to call.

Yours very truly,

Campbell Evans

CE/mw

Rec'd
KHS
5/15/80

80 MAY 14 P12: 12

Attachment II

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

AUTHORIZATION TO ISSUE AN ORDER

The Commission hereby authorizes the issuance of an order to the following person in connection with MUR 1202(80):

Joseph A. Wattigney, Jr.

John W. McGarry Chairman	Thomas E. Harris Commissioner
Frank P. Reiche Vice Chairman	Robert O. Tiernan Commissioner
Joan D. Aikens Commissioner	Vernon W. Thomson Commissioner

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter)
) MUR 1202
Campbell Evans)

ORDER TO SUBMIT WRITTEN ANSWERS

TO: Joseph A. Wattigney, Jr.

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on the day of , 1981.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment
Questions

FEDERAL ELECTION COMMISSION

QUESTIONS

JOSEPH A. WATTIGNEY, JR. MUR 1202(80)

1. Have you ever made a contribution(s) to a political committee named Citizens for LaRouche?

2. If the answer to question 1 is in the affirmative, please state the amount of your contribution(s)?

3. How did you make your contribution(s) to Citizens for LaRouche?

4. Do you know an individual by the name of Campbell Evans?

5. Did you ever give Campbell Evans $1,000.00 in cash for the purpose of purchasing a cashier's check for $1,000.00 payable to Citizens for LaRouche?

6. Can you identify cashier's check No. 195087 (copy attached to these questions) as the cashier's check purchased by Campbell Evans for you?

7. Where were you at the time cashier's check No. 195087 was purchased?

8. Why did Campbell Evans purchase cashier's check No. 195087 for you?

9. Can you explain why the remitter line of cashier's check No. 195087 is crossed out?

Joseph A Wattigney, Jr.
Page Two
Questions - MUR 1202(80)

10. Did you instruct Campbell Evans to purchase cashier's check No. 195087 for you?

11. Was the $1,000.00 used to purchase cashier's check No. 195087 your personal funds?

12. Was the money which was used to purchase cashier's check No. 195087 withdrawn from an escrow account entitled
Account?

13. Were the funds deposited in an account entitled

your personal funds? If so, please explain how your personal funds were deposited into this escrow account?

14. Are you a customer of the Greenway Bank and Trust of Houston?

9116 17

Greenway Bank & Trust
Box 22758 • Houston, Texas 77027 • 713/622-7010

GCC# 3601

80 DEC 18 P12: 31

December 10, 1980

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 1202

Dear Mr. Gross:

Enclosed are the completed anwers to written questions concerning Cashiers Check # 195987 issued at Greenway Bank & Trust. The remitter of the check is not a customer of the bank, but the funds for the check came out of an escrow account of which our customer Campbell Evans is the agent. (See Questions & Answers for explanation).

Please accept our apologies for omitting the sworn affidavit in the first inquiry. It was simply an honest oversight on our part. The proper papers are enclosed in this letter.

If we may be of further help in this matter, please contact me.

Sincerely,

Peggy Hollis

Peggy Hollis
Assistant Vice President

PH/blm

Enc. (s)

80 DEC 18 P3: 23

8 2 0 4 0 5 0 4 7 3

This is to certify that the answers put forth in this inquiry are true and exact to the best of my knowledge.

Signed ______________________ Date: 12/10/80

Peggy Hollis, Assistant Vice President
Greenway Bank & Trust of Houston

Subscribed and Sworn to me this 10 day of December 1980.

____
Notary State of Texas

Barbara Morris
My Commission Expires: 11/21/81

FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and have a sworn affidavit verifying those answers signed by the appropriate bank official and notarized.

You are required to submit your answers written ten (10) days of your receipt of these questions.

You are hereby advised of the provisions of 2 U.S.C. § 437g (a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth your answers in the spaces provided below each question and return this original with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not attach any bank records to your answers or provide any information not requested by the questions.

For the purposes of these written questions, the term "cashier's check" refers to a cashier's check issued by the Greenway Bank and Trust of Houston, Houston, Texas bearing the following series of numbers across the bottom: 195087 1130 0151 099 880.

For the purposes of these written questions, the term "Greenway Bank and Trust customer" is defined as any person in whose name an account is maintained in the Greenway Bank and Trust.

1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

Yes

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

SEE ATTACHED LETTER FOR ANSWER

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

YES.

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

SEE ATTACHED LETTER FOR ANSWER

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

8. If your answers to Questions 1, 4 and 6 are all in the negative, please set forth all of the facts and circumstances surrounding the issuance of the cashier's check.

9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

YES

10. If your answer to Question 9 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each account.

SEE ATTACHED LETTER FOR ANSWER

11. If your answer to Question 9 is in the negative, please state the name of the person into whose physical possession you transferred the cashier's check.

12. Please set forth the names of every employee or agent of the Greenway Bank and Trust who has personal knowledge of any of the facts set forth in your answers, excluding any persons whose knowledge is based solely upon examination of documents.

PEGGY HOLLIS BARBARA MORRIS

13. Please set forth the name of the bank employee who physically transferred possession of the cashier's check to the individual identified in answer to Question 9 or 11, as appropriate, or, if you do not know, please set forth the names of every female teller who was on duty at the issuing branch on the day that the cashier's check was issued.

PEGGY HOLLIS

5. This account is an Escrow Account entitled [illegible]
[illegible] Field, [illegible] Acct.
This account is an Escrow account which monies were deposited into for Mr. Joe Wattigney, Jr. He sold undivided interest of .020000 of a .750000 net revenue working interest in oil, gas and mineral lease to Norquest Resources Ltd. which Mr. C. Campbell Evans is the agent for them.
I issued the Cashiers Check in question and I made the error at the top of the Check. Mr. Joe Wattigney, Jr. is actually the purchaser of the check.

(Peggy Hollis)

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph A. Wattigney

RE: MUR 1202

Dear Mr. Wattigney:

The Federal Election Commission established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached subpoena and order which requires you to appear as a witness and give sworn testimony and other evidence has been issued.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits any person from making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this matter.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us, in writing, of the name and address of your attorney prior to the date of the deposition.

If you have any questions please direct them to Kevin H. Smith, the attorney handling this matter, at (202) 523-4529. Please call Mr. Smith upon receipt of this letter and accompanying subpoena to confirm your attendance at the deposition.

Sincerely,

Charles N. Steele
General Counsel

Enclosure

Subpoena and Order

5. This account is an Escrow Account entitled
Acct.

This account is an Escrow account which monies were deposited into for Mr. Joe Wattigney, Jr. He sold undivided interest of .020000 of a .750000 net revenue working interest in oil, gas and mineral lease to Norquest Resources Ltd. which Mr. C. Campbell Evans is the agent for them.

I issued the Cashiers Check in question and I made the error at the top of the Check. Mr. Joe Wattigney, Jr. is actually the purchaser of the check.

(Peggy Hollis)

BANK COPY

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND – NOT A WHITE BACKGROUND

Greenway Bank & Trust of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS

No. 195087

JOE WATTIGNEY JR.

PAY .00 $=1,000.00

COPY NOT NEGOTIABLE

TO THE ORDER OF CITIZENS FOR LA ROUCHE, JR. * * * * * * * * *

CASHIER'S CHECK

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK – HOLD AT AN ANGLE TO VIEW

"195087" :1130"0151: 099 880" "0000100000"

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND – NOT A WHITE BACKGROUND

Greenway Bank & Trust of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS

No. 195087

JOE WATTIGNEY JR.

PAY [redacted] $=1,000.00

TO THE ORDER OF CITIZENS FOR LA ROUCHE JR. * * * * * * * * *

CASHIER'S CHECK

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK – HOLD AT AN ANGLE TO VIEW

"195087" :1130"0151: 099 880" "0000100000"

BOGIN 1202

PS Form 3811, Jan 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one.)
   - ☐ Show to whom and date delivered. .... ¢
   - ☐ Show to whom, date and address of delivery. ... ¢
   - ☐ RESTRICTED DELIVERY
     Show to whom and date delivered .... ¢
   - ☐ RESTRICTED DELIVERY.
     Show to whom, date, and address of delivery.$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Peggy Hollis

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	947439	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

00DEC12 AM : 15

POSTMARK

6. UNABLE TO DELIVER BECAUSE:

☆GPO 1979

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 1, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Hollis, Assistant Vice-President
Greenway Bank and Trust
Box 22758
Houston, Texas 77027

Re: MUR 1202

Dear Mrs. Hollis:

In a letter dated June 30, 1980, (enclosed with attachments) the Commission requested that Greenway Bank and Trust submit written answers to a set of questions. Such answers were to be submitted under oath by sworn affidavit. On July 28, 1980, the Commission received your written response to the questions. However, your answers were not submitted under oath as requested. Additionally, it is noted that questions 2 and 10 were not answered. Thus, the Commission requests that you resubmit answers to all the written questions and accompany such answers with the appropriate sworn affidavit.

Thank you for your cooperation in this matter. If you have any questions, please call Robert Bogin (202) 523-4000, the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

by: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Enclosures

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 30, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Sandra Machann
Vice President
Greenway Bank and Trust of Houston
Houston, Texas 77027

RE: MUR 1202

Dear Ms. Machann:

I am enclosing a set of written questions, an Order of the Commission, and a Certificate of Compliance with the Right to Financial Privacy Act of 1978, all directed to the Greenway Bank and Trust of Houston. It is my understanding that you are the bank officer who handles agency subpoenas and requests for information directed to the Bank. Therefore, these materials have been mailed to you for answers on its behalf.

I would like to remind you of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits making public any Commission investigation without the written consent of the person with respect to whom such investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please call Kevin H. Smith (202-523-4529), the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

3 2 0 4 0 3 1 7 1 0

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

CERTIFICATION OF COMPLIANCE WITH THE RIGHT TO FINANCIAL PRIVACY ACT

TO: Greenway Bank and Trust of Houston
Houston, Texas 77027

FROM: Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1202

I hereby certify, pursuant to section 1103(b) of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3403(b), that the provisions of the Act have been complied with as to the enclosed Written Questions Under Order, answers to which are being ordered pursuant to 12 U.S.C. § 3413(a) and (g) further certify that good faith reliance upon this certificate relieves your institution and its employees and agents of any possible liability to the customer in connection with the disclosure of this information.

30 June 1980
Date

Charles N. Steele
General Counsel

8 2 0 4 0 4 7 1 4 0

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

TO: Greenway Bank and Trust of Houston
Houston, Texas 77027

RE: MUR 1202

ORDER TO ANSWER WRITTEN QUESTIONS

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within ten (10) days of your receipt of this order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on June 26, 1980.

Max L. Friedersdorf
Max L. Friedersdorf
Chairman

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

DERAL ELECTION COMMISSION

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and have a sworn affidavit verifying those answers signed by the appropriate bank official and notarized.

You are required to submit your answers written ten (10) days of your receipt of these questions.

You are hereby advised of the provisions of 2 U.S.C. § 437g (a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth your answers in the spaces provided below each question and return this original with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not attach any bank records to your answers or provide any information not requested by the questions.

For the purposes of these written questions, the term "cashier's check" refers to a cashier's check issued by the Greenway Bank and Trust of Houston, Houston, Texas bearing the following series of numbers across the bottom: 195087 1130 0151 099 880.

For the purposes of these written questions, the term "Greenway Bank and Trust customer" is defined as any person in whose name an account is maintained in the Greenway Bank and Trust.

1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

8. If your answers to Questions 1, 4 and 6 are all in the negative, please set forth all of the facts and circumstances surrounding the issuance of the cashier's check.

9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

10. If your answer to Question 9 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each account.

11. If your answer to Question 9 is in the negative, please state the name of the person into whose physical possession you transferred the cashier's check.

12. Please set forth the names of every employee or agent of the Greenway Bank and Trust who has personal knowledge of any of the facts set forth in your answers, excluding any persons whose knowledge is based solely upon examination of documents.

13. Please set forth the name of the bank employee who physically transferred possession of the cashier's check to the individual identified in answer to Question 9 or 11, as appropriate, or, if you do not know, please set forth the names of every female teller who was on duty at the issuing branch on the day that the cashier's check was issued.

Greenway Bank & Trust
P. O. Box 22758 Houston, Texas 77027

CERTIFIED
No. 268023
MAIL

Return Receipt Requested

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D. C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Campbell Evans) MUR 1202

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on November 5, 1980, do hereby certify that the Commission decided by a vote of 6-0 to instruct the Office of General Counsel to resubmit to Ms. Peggy Hollis or the Greenway Bank and Trust of Houston the same questions previously submitted by the FEC in MUR 1202 and ask that they be responded to and that the response be sworn to and notarized as previously requested.

Attest:

11-10-80
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

MWE

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY

DATE: NOVEMBER 4, 1980

SUBJECT: OBJECTION - MUR 1202 - General Counsel's Report dated 10-30-80: Received in OCS 10-31-80, 10:32

The above-named document was circulated on a 48 hour vote basis at 2:00, October 31, 1980.

Commissioner Aikens submitted an objection at 4:48, November 3, 1980.

This matter will be placed on the Executive Session Agenda for Wednesday, November 5, 1980.

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter of)
) MUR 1202
Campbell Evans)

GENERAL COUNSEL'S REPORT

On April 29, 1980, the Commission found reason to believe that Campbell Evans violated 2 U.S.C. § 441f by contributing $1,000 in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche. Inasmuch as Mr. Evans had also contributed $1,000 in his own name, the Commission found reason to believe that respondent violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions. The Commission made these findings after a review of the written instrument which effected the Evans-Wattigney contribution, a cashier's check, revealed that the remitter had been altered by X-ing over "Campbell Evans - Citizens for LaRouch, Jr.," (sic) and typing "Joe Wattigney Jr." immediately below the crossed out remitter.

Written Questions Under Order were sent to the bank issuing the cashier's check in question. Response by the bank has been received (attachment), and it appears that based on these responses, Mr. Wattigney did indeed make the contribution to CFR with his personal funds. In response to question 5, Peggy Hollis an official at the bank states that the account upon which money was withdrawn to purchase the cashier's check was an escrow account containing funds of Mr. Wattigney representing the proceeds of the sale of an oil, gas and mineral lease. Ms. Hollis states that she made "the error at the top of the check" and that "Mr. Joe Wattigney is actually the purchaser of the check." A possible explanation for the bank having initially typed Campbell Evans as being the purchaser of the check is that the accou t from which the funds were drawn is entitled "

Acct." An escrow account is an account maintained by an escrow agent (bank) the funds of which are delivered by the agent to the grantee only upon the fulfillment of a condition. The question that must be answered to determine the legitimacy of the contribution in issue is whether the escrow account represents the personal funds of Joe Wattigney, Jr., and not Campbel Evans. In light of Peggy Hollis' statement that the funds in the account represent Mr. Wattigney's personal funds and that the bank was responsible for the initial typing of the wrong purchaser and subsequent retyping of Mr. Wattigney's name, it is the recommendation of this office tha the Commission take no further action in this matter and notify respondent.

Recommendation

1. Take no further action.
2. Close the file.
3. Notify respondent.

30 October 1980
Date

Charles N. Steele
General Counsel

Attachments
1. Response from bank
2. Letter to Respondent

OGC-2098

RECEIVED

FEDERAL ELECTION COMMISSION

'80 JUL 28 PM 2:51

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and have a sworn affidavit verifying those answers signed by the appropriate bank official and notarized.

You are required to submit your answers written ten (10) days of your receipt of these questions.

You are hereby advised of the provisions of 2 U.S.C. § 437g (a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth your answers in the spaces provided below each question and return this original with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not attach any bank records to your answers or provide any information not requested by the questions.

For the purposes of these written questions, the term "cashier's check" refers to a cashier's check issued by the Greenway Bank and Trust of Houston, Houston, Texas bearing the following series of numbers across the bottom: 195037 1130 0151 099 880.

For the purposes of these written questions, the term "Greenway Bank and Trust customer" is defined as any person in whose name an account is maintained in the Greenway Bank and Trust.

1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

Yes.

80 JUL 29 AII: 46

ATTACHMENT I-

8 2 0 4 0 3 0 4 7 5 0

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

Yes.

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

See attached letter for answer.

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

8. If your answers to Questions 1, 4 and 6 are all in the negative, please set forth all of the facts and circumstances surrounding the issuance of the cashier's check.

9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

Yes.

10. If your answer to Question 9 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each account.

11. If your answer to Question 9 is in the negative, please state the name of the person into whose physical possession you transferred the cashier's check.

12. Please set forth the names of every employee or agent of the Greenway Bank and Trust who has personal knowledge of any of the facts set forth in your answers, excluding any persons whose knowledge is based solely upon examination of documents.

Peggy Hollis

13. Please set forth the name of the bank employee who physically transferred possession of the cashier's check to the individual identified in answer to Question 9 or 11, as appropriate, or, if you do not know, please set forth the names of every female teller who was on duty at the issuing branch on the day that the cashier's check was issued.

Peggy Hollis

5. This account is an Escrow Account entitled
Acct.

This account is an Escrow account which monies were deposited into for Mr. Joe Wattigney, Jr. He sold undivided interest of .020000 of a .750000 net revenue working interest in oil, gas and mineral lease to Norquest Resources Ltd. which Mr. C. Campbell Evans is the agent for them.

I issued the Cashiers Check in question and I made the error at the top of the Check. Mr. Joe Wattigney, Jr. is actually the purchaser of the check.

(Peggy Hollis)

FRIENDSHIP STATION
WASHINGTON, D.C.

Federal Election Commission
1325 "K" Street, N.W.
Washington, D.C. 20463
ATTN: Robert Bagin

8204030

OGC#2098

RECEIVED

'80 JUL 28 PM 2:51

FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

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For the purposes of these written questions, the term "Greenway Bank and Trust customer" is defined as any person in whose name an account is maintained in the Greenway Bank and Trust.

1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

Yes.

80 JUL 29 A11: 46

82010304755

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

Yes.

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

See attached letter for answer.

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

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9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

Yes.

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Peggy Hollis

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Peggy Hollis

Greenway Bank & Trust
P. O. Box 22758 Houston, Texas 77027

Federal Election Commision
Charles N. Steele
General Counsel
Washington, D. C. 20463

RECEIVED
'80 JUL 28 PM 2:51

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Campbell Evans

Re: MUR 1202

Dear Mr. Evans:

The Commission has determined to take no further action in the above referenced matter. Accordingly, the file has been closed and will be place on the public record.

If you have any questions concerning this matter please do not hesitate to call Robert Bogin at (202)523-4000.

On behalf of the Commission, I thank you for your cooperation.

Sincerely,

Charles N. Steele
General Counsel

ATTACHMENT II

GCC# 2009
RECEIVED

'80 JUL 21 PM 2:48

909191

Greenway Bank & Trust
Box 22758 • Houston, Texas 77027 • 713/622-7010

Peggy Hollis
Assistant Vice-President

July 15, 1980

Federal Election Commision
Charles N. Steele
General Counsel
Washington, D.C. 20463

Re: MUR 1202

Dear Sir:

Please find enclosed the questionnaire you requested us to answer. We have answered all the questions to the best of our ability.

Sincerely,

(Mrs.) Peggy T. Hollis

PH/blm

Enc.

80 JUL 22 P 3:12

FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

In accordance with the attached Order of the Federal Election Commission issued under the authority of 2 U.S.C. § 437d(a)(1) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2), please submit written answers to the questions below and have a sworn affidavit verifying those answers signed by the appropriate bank official and notarized.

You are required to submit your answers written ten (10) days of your receipt of these questions.

You are hereby advised of the provisions of 2 U.S.C. § 437g (a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth your answers in the spaces provided below each question and return this original with an original affidavit attesting to the truth of the answers; the affidavit must be sworn and notarized.

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For the purposes of these written questions, the term "Greenway Bank and Trust customer" is defined as any person in whose name an account is maintained in the Greenway Bank and Trust.

1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

NO

8 2 0 4 0 3 4 7 7 1

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

THE BANK CLOSED THE ACCOUNT.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

YES

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

TYPE OF ACCOUNT: CHECKING

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

8. If your answers to Questions 1, 4 and 6 are all in the negative, please set forth all of the facts and circumstances surrounding the issuance of the cashier's check.

9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

NO

10. If your answer to Question 9 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each account.

11. If your answer to Question 9 is in the negative, please state the name of the person into whose physical possession you transferred the cashier's check.

BY MAIL

12. Please set forth the names of every employee or agent of the Greenway Bank and Trust who has personal knowledge of any of the facts set forth in your answers, excluding any persons whose knowledge is based solely upon examination of documents.

BRENDA WILLIAMS

13. Please set forth the name of the bank employee who physically transferred possession of the cashier's check to the individual identified in answer to Question 9 or 11, as appropriate, or, if you do not know, please set forth the names of every female teller who was on duty at the issuing branch on the day that the cashier's check was issued.

BRENDA WILLIAMS

Greenway Bank & Trust
P. O. Box 22758 Houston, Texas 77027

HOUSTON, TX
PM
15 JUL
1980

Mr. Charles N. Steele, General Counsel
Federal Election Commision
Washington, D. C. 20463

CERTIFIED
No. 958150
MAIL

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).
- ☐ Show to whom and date delivered. .... ¢
- ☐ Show to whom, date, and address of delivery. ¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered. .... ¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery. $

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Sandra Maclean

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	609516	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. Ruby Smith

DATE OF DELIVERY

POSTMARK

JUN 30 1980

HOUSTON, TEX. USPO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Aline

☆ GPO : 1979-272-382

MUK 1202 K. Smith

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 30, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Sandra Machann
Vice President
Greenway Bank and Trust of Houston
Houston, Texas 77027

RE: MUR 1202

Dear Ms. Machann:

I am enclosing a set of written questions, an Order of the Commission, and a Certificate of Compliance with the Right to Financial Privacy Act of 1978, all directed to the Greenway Bank and Trust of Houston. It is my understanding that you are the bank officer who handles agency subpoenas and requests for information directed to the Bank. Therefore, these materials have been mailed to you for answers on its behalf.

I would like to remind you of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits making public any Commission investigation without the written consent of the person with respect to whom such investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please call Kevin H. Smith (202-523-4529), the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Sandra Machann
Vice President
Greenway Bank and Trust of Houston
Houston, Texas 77027

RE: MUR 1202

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If you have any questions, please call Kevin H. Smith (202-523-4529), the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

OK 6/30/80
KHS
CNS must sign
Cert. of Compliance

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

CERTIFICATION OF COMPLIANCE WITH
THE RIGHT TO FINANCIAL PRIVACY ACT

TO: Greenway Bank and Trust of Houston
Houston, Texas 77027

FROM: Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1202

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30 June 1980
Date

Charles N. Steele
General Counsel

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

TO: Greenway Bank and Trust of Houston
Houston, Texas 77027

RE: MUR 1202

ORDER TO ANSWER WRITTEN QUESTIONS

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Such answers must be submitted under oath and must be forwarded to the Commission within ten (10) days of your receipt of this order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on June 26, 1980.

Max L. Friedersdorf
Max L. Friedersdorf
Chairman

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

8 2 0 4 0 3 0 4 7 7 0

FEDERAL ELECTION COMMISSION

WRITTEN QUESTIONS UNDER ORDER

TO: Greenway Bank and Trust of Houston

RE: MUR 1202

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1. Did Greenway Bank and Trust issue the cashier's check at the request of any Greenway Bank and Trust customer?

2. If your answer to Question 1 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account.

3. If your answer to Question 1 is in the negative, please state the name of the person who requested the issuance of the cashier's check.

4. Was the cashier's check issued as a means of withdrawing funds then on deposit in any account of any Greenway Bank and Trust customer?

5. If your answer to Question 4 is in the affirmative, please state the name and address of such customer and the name of and type of the account from which the withdrawal was made.

6. If your answer to Question 4 is in the negative, was the cashier's check issued in consideration of the physical transfer of cash or of a negotiable instrument or instruments from a Greenway Bank and Trust customer to the Greenway Bank and Trust?

7. If your answer to Question 6 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each such account?

8. If your answers to Questions 1, 4 and 6 are all in the negative, please set forth all of the facts and circumstances surrounding the issuance of the cashier's check.

9. Was the cashier's check directly transferred from your physical possession to the physical possession of any Greenway Bank and Trust customer?

10. If your answer to Question 9 is in the affirmative, please state the name and address of such customer and the account numbers of all accounts maintained in such customer's name together with a description of the type of each account.

11. If your answer to Question 9 is in the negative, please state the name of the person into whose physical possession you transferred the cashier's check.

12. Please set forth the names of every employee or agent of the Greenway Bank and Trust who has personal knowledge of any of the facts set forth in your answers, excluding any persons whose knowledge is based solely upon examination of documents.

13. Please set forth the name of the bank employee who physically transferred possession of the cashier's check to the individual identified in answer to Question 9 or 11, as appropriate, or, if you do not know, please set forth the names of every female teller who was on duty at the issuing branch on the day that the cashier's check was issued.

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY

DATE: JUNE 26, 1980

SUBJECT: MUR 1202 - Order

The attached order, approved by a vote of 6-0 on June 25, 1980, has been signed and sealed this date.

ATTACHMENT:
Order - Greenway Bank &
Trust of Houston

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of Greenway Bank and Trust of Houston	))))	MUR 1202

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on June 25, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1202:

1. Authorize the issuance of the Order and Written Questions, as attached to the Memorandum to the Commission dated June 23, 1980, to Greenway Bank and Trust of Houston.

2. Authorize the General Counsel to send the cover letter and Certification of Compliance, as attached to the above-named memorandum.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, Reiche, and Tiernan.

Attest:

6/25/80
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 6-23-80, 12:26
Circulated on 48 hour vote basis: 6-23-80, 4:00

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 JUN 23 P12: 26

June 23, 1980

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: Authorization to Issue Order in Connection with MUR 1202

Attached for Commission approval are an Order and Written Questions directed to the Greenway Bank and Trust of Houston in furtherance of our investigation of the above captioned matter.

The questions are drafted to come within 12 U.S.C. § 3413(a) and (g) which are exceptions to the notice requirements of the Right to Financial Privacy Act of 1978. The answers will assist us in preparation for the depositions of Joseph A. Wattigney and Campbell Evans, as well as to gain evidence concerning the source of funds used to purchase the cashier's check in question.

Recommendations

1. Authorize the issuance of the attached Order and Written Questions to Greenway Bank and Trust of Houston.

2. Authorize the General Counsel to send the attached cover letter and Certification of Compliance.

Attachments

1. Order (1)
2. Written Questions Under Order (1)
3. Letter (1)
4. Certification of Compliance (1)
5. Authorization Form

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Sandra Machann
Vice President
Greenway Bank and Trust of Houston
Houston, Texas 77027

RE: MUR 1202

Dear Ms. Machann:

I am enclosing a set of written questions, an Order of the Commission, and a Certificate of Compliance with the Right to Financial Privacy Act of 1978, all directed to the Greenway Bank and Trust of Houston. It is my understanding that you are the bank officer who handles agency subpoenas and requests for information directed to the Bank. Therefore, these materials have been mailed to you for answers on its behalf.

I would like to remind you of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits making public any Commission investigation without the written consent of the person with respect to whom such investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please call Kevin H. Smith (202-523-4529), the attorney assigned to this matter.

Sincerely,

Charles N. Steele
General Counsel

Enclosures

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

80 JUN 19 P12: 35

June 19, 1980

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

RE: Authorization to Issue Subpoenas in connection with MUR 1202

Attached for Commission approval are deposition subpoenas directed to respondent and the individual whose purported contribution to Citizens for LaRouche may have been made by or falsely documented by respondent and submitted to the Commission for matching.

The testimony and documents sought by the subpoenas will assist us in determining whether violations of 2 U.S.C. § 441f and 26 U.S.C. § 9042(c)(1)(A) have occurred in this matter.

Recommendations

1. Authorize the attached subpoenas to:

a) Joseph Wattigney
b) Campbell Evans

2. Authorize the General Counsel to send the attached cover letters to Joseph Wattigney and Campbell Evans.

Attachments

1. Authorization Form
2. Subpoenas (2) with cover letters to Joseph Wattigney and Campbell Evans

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY mc

DATE: JUNE 25, 1980

SUBJECT: SUBPOENAS IN RELATION TO MUR 1202

The attached subpoenas, approved by a vote of 5-0 on June 24, 1980, have been signed and sealed this date.

ATTACHMENT:
Subpoenas (2)
1) Watigney
2) Evans

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1202
Campbell Evans	)	
Joseph Wattigney	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on June 23, 1980, the Commission decided by a vote of 5-0 to take the following actions regarding MUR 1202:

1. Authorize the issuance of subpoenas, as attached to the Memorandum to the Commission dated June 19, 1980, to:

   a) Joseph Wattigney
   b) Campbell Evans

2. Authorize the General Counsel to send the cover letters, as attached to the above-named memorandum, to Joseph Wattigney and Campbell Evans.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, and Reiche.

Attest:

6/23/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 6-19-80, 12:35
Circulated on 48 hour vote basis: 6-19-80, 4:00

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUTHORIZATION TO ISSUE ORDER

The Commission hereby authorizes an Order to Answer Written Questions to be issued to:

Greenway Bank and Trust of Houston
Houston, Texas 77027

Max L. Friedersdorf
Chairman

Thomas E. Harris
Commissioner

John W. McGarry
Vice Chairman

Frank P. Reiche
Commissioner

Joan D. Aikens
Commissioner

Robert O. Tiernan
Commissioner

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUTHORIZATION TO ISSUE SUBPOENAS

The Commission hereby authorizes subpoenas to the following people in connection with MUR 1202:

Joseph A. Wattigney, Jr. Campbell Evans

Max L. Friedersdorf
Chairman

Thomas E. Harris
Commissioner

John W. McGarry
Vice Chairman

Frank P. Reiche
Commissioner

Joan D. Aikens
Commissioner

Robert O. Tiernan
Commissioner

8 2 0 4 0 3 0 4 7 0 1

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph A. W tigney, Jr.

RE: MUR 1202

Dear Mr. Wattigney:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter; but rather as a witness only.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this order.

If you have any questions please direct them to Robert Bogin, the attorney handling this matter, at 202/523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Order
Questions

campbell evans

300=,34¢

May 12, 1980

Mr. Kevin H. Smith,
Attorney
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1202

987999

Dear Mr. Smith:

In response to correspondence dated May 1, 1980, please be advised that the contribution of $1,000.00 made February 5, 1980, in the name of Joseph A. Wattigney, Jr. to Citizens for LaRouche was in fact remitted by Mr. Wattigney. The reason for the typographical error was that Mr. Wattigney was at my bank, Greenway Bank & Trust, with me on the day the cashiers' check was purchased. Mr. Wattigney handed me $1,000.00 in cash which I handed to the girl in collections along with my personal transactions and she thought that I was the remitter, therefore my name appears crossed out and Mr. Wattigney's was inserted which was the way it should have been originally. Mr. Wattigney is prepared to issue a sworn statement supporting this.

As to the other allegation contained in the correspondence of May 1, 1980, please be advised that I am unaware of making a second contribution to Citizens for LaRouche. If I did so, it was in error and if you can give me the information on the additional contribution of $1,000.00 then I will be happy to request a refund from Citizens for LaRouche of such contribution.

Thank you for your prompt attention to my request. If you have any questions, please do not hesitate to call.

Yours very truly,

Campbell Evans

Campbell Evans

CE/rw

8 2 0 4 0 3 0 4 7 9 3

80 MAY 14 P12: 12

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

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

- ☐ Show to whom and date delivered .... ¢
- ☐ Show to whom, date, and address of delivery .. ¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered .... ¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery $____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Campbell Evans.

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	944208	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. Jeri Fel[illegible]

DATE OF DELIVERY

POSTMARK

HOUSTON, TX USPO 1980

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

GPO: 1979-272-382

1202 K. Smith

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 1, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Campbell Evans
[redacted]

Dear Mr. Evans:

The Federal Election Commission, on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, has found reason to believe that you have violated 2 U.S.C. § 441f by making a $1,000 contribution on or about February 5, 1980, in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche.

The Commission also found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by contributing $2,000 to the presidential primary campaign of Citizens for LaRouche.

A report on the Commission's findings is attached for your information. A description of Commission procedures is also enclosed. You are encouraged to submit any factual or legal materials which you believe are relevant to the Commission's investigation and analysis of this matter.

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 have any questions, please direct them to Kevin H. Smith, the attorney assigned to this matter, at 202/523-4529.

Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE

mwe

FROM: MARJORIE W. EMMONS/MARGARET CHANEY mc

DATE: APRIL 24, 1980

SUBJECT: OBJECTION - MUR 1202 - First General Counsel's Report dated 4-21-80; Received in OCS 4-21-80, 4:00

The above-named document was circulated on a 48 hour vote basis at 11:00, April 22, 1980.

Commissioner Reiche submitted an objection at 9:36, this date, thereby placing MUR 1202 on the Executive Session Agenda for April 29, 1980. A copy of Commissioner Reiche's vote sheet with his comments is attached.

ATTACHMENT:
Copy of Vote Sheet

8 2 0 4 0 3 4 7 5

A

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1202
Campbell Evans	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 29, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1202:

1. Find REASON TO BELIEVE that Campbell Evans has violated 2 U.S.C. § 441f by contributing $1,000 in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche.

2. Find REASON TO BELIEVE that Campbell Evans has violated 2 U.S.C. § 441a(a)(1)(A) by contributing $2,000 to the primary campaign of Citizens for LaRouche.

3. Approve and send the letter and notification as attached to the First General Counsel's Report dated April 21, 1980.

Attest:

4-30-80
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 4-21-80, 4:00
Circulated on 48 hour vote basis: 4-22-80, 11:00

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE APR [illegible] 1980

MUR NO. 1202
STAFF MEMBER(S) & TEL. NO.
Kevin H. Smith
523-4529

RESPONDENT Campbell Evans

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

BACKGROUND

Documentation submitted to the Commission as part of a matching fund submission of the Citizens for LaRouche included a copy of a cashier's check #195087 drawn by and upon Greenway Bank and Trust of Houston in the amount of $1,000. It appears that the "remitter" was originally entered as "CAMPBELL EVANS - CITIZENS FOR LAROUCH JR." which was subsequently typed over with "X's" and the name "JOE WATTIGNEY JR." was substituted. Accompanying documentation submitted to confirm the "Wattigney" contribution is purportedly notarized by Mary E. Wallington who has the same business address as Campbell Evans.

A previous matching fund submission shows a $1,000 contribution to Citizens for LaRouche by Campbell Evans, the accompanying document also notarized by Mary E. Wallington.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 441f prohibits a person from making a contribution in the name of another. The facts recited above gave the Commission reason to believe that Campbell Evans had made a $1,000 contribution in the name of Joe Wattigney, Jr.

2 U.S.C. § 441a(a)(1)(A) prohibits any individual from contributing more than $1,000 to the primary campaign of any one candidate and his authorized committees. The facts recited above gave the Commission reason to believe that Campbell Evans had contributed $2,000 to the presidential primary campaign of Lyndon LaRouche.

Based upon the foregoing analysis, the Federal Election Commission has found:

1. That there is reason to believe that Campbell Evans has violated 2 U.S.C. § 441f by contributing $1,000 in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche.

2. That there is reason to believe that Campbell Evans has violated 2 U.S.C. § 441a(a)(1)(A) by contributing $2,000 to the primary campaign of Citizens for LaRouche.

48 HOUR TALLY SHEET

FEDERAL ELECTION COMMISSION

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

80 APR 24 10:38

Date and Time Transmitted: 4-22-80

11:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, McGARRY, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: 4-24-80

11:00

MUR No. 1202 First General Cousnel's Report dated 4-21-80

( ) I approve the recommendation

(✓) I object to the recommendation

COMMENTS:

Date: 4/23/80 Signature: Frank P. Reiche

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.

copy of the Evans notarization does not show a notary seal, the notarization does state: "Given under my hand and seal of office. . . . .." The "Wattigney" notarization did not.

The Audit Division referred these matters to this office for possible enforcement action.

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 441f provides that "[n]o person shall make a contribution in the name of another person . . . ." The attempted obliteration of Campbell Evans' name and the substitution of "Joe Wattigney, Jr." as "remitter" on the face of the February 5 cashier's check, coupled with the unsealed notarization of a signature for "Joseph A. Wattigney, Jr." by a notary apparently employed by Campbell Evans, suggests the strong possibility that the cashier's check was purchased by Evans, changed to indicate that the check was purchased by "Wattigney," and then used, together with a statement notarized by a notary at Evans' place of business, to effect a $1,000 contribution to Citizens for LaRouche. The possible motive for this alleged contribution in the name of another is provided by the fact that Evans appears to have made a $1,000 contribution in his own name in April of 1979, documented by a written statement apparently notarized under seal. This contribution would have prevented Evans from contributing further to Citizens for LaRouche because of the $1,000 limit of 2 U.S.C. § 441a(a)(1)(A).

Based upon the facts and legal analysis set forth above, there is reason to believe that Campbell Evans has violated 2 U.S.C. § 441f by making a contribution of $1,000 to Citizens for LaRouche in the name of Joseph A. Wattigney, Jr., on or about February 5, 1980. The same facts provide reason to believe that Campbell Evans has violated 2 U.S.C. § 441a(a)(1)(A) by making two contributions totalling $2,000 towards the Democratic primary campaign of Citizens for LaRouche.

Recommendations

1. Find reason to believe that Campbell Evans has violated 2 U.S.C. § 441f by contributing $1,000 in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche.

2. Find reason to believe that Campbell Evans has violated 2 U.S.C. § 441a(a)(1)(A) by contributing $2,000 to the primary campaign of Citizens for LaRouche.

3. Approve and send the attached letter and notification.

Attachments

1 - Audit Referral Memorandum
2 - Proposed letter to respondent
3 - Proposed Notification of Reason to Believe Finding

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT 80 APR 21 P 4: 00

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION APR 21 1980

MUR # 1202
STAFF MEMBER(S) Kevin H. Smith

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS' NAMES: Campbell Evans

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(1)(A); 2 U.S.C. § 441f

SUMMARY OF ALLEGATIONS

This matter arises out of the Audit Division's review of the fifth matching fund submission of Citizens for LaRouche [hereinafter "CFL"] covering the period from February 10 to February 22, 1980. In the course of that review, the Audit Division discovered a $1,000 cashier's check which appeared to have been altered to change the name of the remitter (purchaser) from "CAMPBELL EVANS - CITIZENS FOR LAROUCH JR." to "JOE WATTIGNEY JR." by crossing out the former with typed "X's". A copy of this cashier's check is attached as Attachment 1 to the Audit Division memorandum.

The submitted copy of this cashier's check was accompanied by a written document stating "On February 5, 1980, I contributed $1,000 to Citizens For LaRouche," and containing the purported signature of "Joseph A. Wattigney, Jr." This document also contains the purported signature of a notary public below the typed statement: "Before me on this day appeared Joseph A. Wattigney, known to me to be the person who signed the above statement." From the copy submitted, there does not appear to have been a notary seal applied. A copy of this document also appears as Attachment I to the Audit Division referral memorandum.

In an earlier submission, a $1,000 contribution was reported to have been made by "Campbell Evans" on April 30, 1979, by cashier's check drawn on the same bank as the "Wattigney" check. The check was accompanied by a document which appears to have been on the business letterhead of Campbell Evans and bears his purported signature; the document acknowledges his April 30, 1979, contribution. This document is notarized by Mary E. Wallington, the same notary public who notarized the "Wattigney" documentation. Reports filed with the Commission indicated that Ms. Wallington has the same business address as Campbell Evans. Although our

ATTACHMENT I

Greenway Bank & Trust
of Houston
Houston, Texas 77027

No.

JOE WATTIGNEY JR.

PAY

$=1,000.00

TO THE ORDER OF

CITIZENS FOR LA ROUCHE JR. *** ******

CASHIER'S CHECK

⑈195087⑈ ⑆1130⑉0151⑆ 099 880⑈

On February 5, 1980, I contributed $1,000 to Citizens For LaRouche.

Joseph A. Wattigney

Before me on this day appeared Joseph A. Wattigney, known to me to be the person who signed the above statement.

Notary Public for the state of Texas,
County of Harris

It should be noted that on April 30, 1979, Campbell Evens (sic) contributed $1,000 to the Committee. The contribution was also made by a cashier's check purchased at the Greenway Bank and Trust. This cashier's check was originally dated April 26, 1975 (see Attachment II), and deposited on April 30, 1979. On May 8, 1979, the Committee's depository reversed this item from the April 30 deposit (see Attachment III). The date on the cashier's check was then changed from April 26, 1975, to April 26, 1979 (see Attachment IV) and the cashier's check was redeposited on May 10, 1979.

Should you have any questions, contact Rick Halter or Tom Nurthen on extension 3-4155.

Attachments as stated

To Whom It May Concern:

I contributed $1,000.00 to "Citizens for LaRouche" on April 30, 1979.

Campbell Evans

State of Texas X

County of Harris X

Before me, the undersigned authority, personally appeared Campbell Evans, known to me to be the person whose name is subscribed to the foregoing statement.

Given under my hand and seal of office this 26th day of December, 1979.

Mary S. Wallington

Notary Public in and for Harris County, Texas

My Commission Expires: July 27, 1980

camp ell evans

TTACHMENT IV

P2 TX

D

To Whom It May Concern:

I contributed $1,000.00 to "Citizens for LaRouche" on April 30, 1979.

Campbell Evans

State of Texas X

County of Harris X

Before me, the undersigned authority, personally appeared Campbell Evans, known to me to be the person whose name is subscribed to the foregoing statement.

Given under my hand and seal of office this 26th day of December, 1979.

Mary S. Wellington

Notary Public in and for Harris County, Texas

My Commission Expires: July 27, 1980

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Campbell Evans

RE: MUR 1202

Dear Mr. Evans:

The Federal Election Commission, on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, has found reason to believe that you have violated 2 U.S.C. § 441f by making a $1,000 contribution on or about February 5, 1980, in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche.

The Commission also found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by contributing $2,000 to the presidential primary campaign of Citizens for LaRouche.

A report on the Commission's findings is attached for your information. A description of Commission procedures is also enclosed. You are encouraged to submit any factual or legal materials which you believe are relevant to the Commission's investigation and analysis of this matter.

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 have any questions, please direct them to Kevin H. Smith, the attorney assigned to this matter, at 202/523-4529.

Sincerely,

ATTACHMENT II

1. That there is reason to believe that Campbell Evans has violated 2 U.S.C. § 441f by contributing $1,000 in the name of Joseph A. Wattigney, Jr., to Citizens for LaRouche.

2. That there is reason to believe that Campbell Evans has violated 2 U.S.C. § 441a(a)(1)(A) by contributing $2,000 to the primary campaign of Citizens for LaRouche.

FEDERAL ELECTION COMMISSION

NOTIFICATION OF REASON TO BELIEVE FINDING

DATE ____________________

MUR NO. 1202
STAFF MEMBER(S) & TEL. NO.
Kevin H. Smith

RESPONDENT Campbell Evans

523-4529

SOURCE OF MUR: I N T E R N A L L Y   G E N E R A T E D

BACKGROUND

Documentation submitted to the Commission as part of a matching fund submission of the Citizens for LaRouche included a copy of a cashier's check #195087 drawn by and upon Greenway Bank and Trust of Houston in the amount of $1,000. It appears that the "remitter" was originally entered as "CAMPBELL EVANS - CITIZENS FOR LAROUCH JR." which was subsequently typed over with "X's" and the name "JOE WATTIGNEY JR." was substituted. Accompanying documentation submitted to confirm the "Wattigney" contribution is purportedly notarized by Mary E. Wallington who has the same business address as Campbell Evans.

A previous matching fund submission shows a $1,000 contribution to Citizens for LaRouche by Campbell Evans, the accompanying document also notarized by Mary E. Wallington.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 441f prohibits a person from making a contribution in the name of another. The facts recited above gave the Commission reason to believe that Campbell Evans had made a $1,000 contribution in the name of Joe Wattigney, Jr.

2 U.S.C. § 441a(a)(1)(A) prohibits any individual from contributing more than $1,000 to the primary campaign of any one candidate and his authorized committees. The facts recited above gave the Commission reason to believe that Campbell Evans had contributed $2,000 to the presidential primary campaign of Lyndon LaRouche.

Based upon the foregoing analysis, the Federal Election Commission has found:

ATTACHMENT III

No. 1[illegible]

Greenway Bank & Trust
of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS: The purchase of an indemnity bond will be required before this check will be replaced or refunded in the event it is lost, misplaced or stolen.

REMITTER JOE WATTIGNEY JR.

PAY GREENWAY B. & TRUST $=1,000.00

TO THE ORDER OF CITIZENS FOR LA ROUCHE JR. *** ******

CASHIER'S CHECK

⑈195087⑈ ⑆1130⑉0151⑆ 099 880⑈

On February 5, 1980, I contributed $1,000 to Citizens For LaRouche.

Joseph A. Wattigney

Before me on this day appeared Joseph A. Wattigney, known to me to be the person who signed the above statement.

Notary Public, for the state of Texas,
County of Harris

ATTACHMENT IV

5-01

No 171507

MAY 10 1979

Greenway Bank & Trust of Houston

Houston, Texas 77027

5-3-79

REMITTER: Campbell Evans

$ [illegible]

PAY

GREENWAY BANK & TRUST

TO THE ORDER OF Citizens for LaRouche Committee

CASHIER'S CHECK

⑈171507⑈ ⑆1130⑉0151⑆ 099 880⑈ ⑈0000100000⑈

APR 30 1979

Greenway Bank & Trust
of Houston
Houston, Texas 77027

NOTICE TO CUSTOMERS
[illegible]

No 171507

25 75

REMITTER
Campbell Evans

PAY GREENWAY BK & TRUST [illegible] $ 1,000.00

TO THE ORDER OF
Citizens for LaRouche Committe

CASHIER'S CHECK

⑈171507⑈ ⑆1130⑉0151⑆ 099 880⑈

campbell evans ATTACHMENT IV

TX

To Whom It May Concern:

I contributed $1,000.00 to "Citizens for LaRouche" on April 30, 1979.

Campbell Evans

State of Texas)(

County of Harris)(

Before me, the undersigned authority, personally appeared Campbell Evans, known to me to be the person whose name is subscribed to the foregoing statement.

Given under my hand and seal of office this 26th day of December, 1979.

Notary Public in and for Harris County, Texas

My Commission Expires: July 27, 1980

MAY 1 0 1979

NOTICE TO CUSTOMERS

No 171507

Greenway Bank & Trust
of Houston

Houston, Texas 77027

5-23-79

REMITTER: Campbell Evens

PAY

GREENWAY BK & TRUST

$1,000.00

TO THE ORDER OF Citizens for LaRouche Committe

CASHIER'S CHECK

⑈171507⑈ ⑆1130⑉0151⑆ 099 880⑈ ⑈0000100000⑈

APR 30 1979

Greenway Bank & Trust of Houston

Houston, Texas 77027

NOTICE TO CUSTOMERS

No 171507

REMITTER Campbell Evans

PAY

GREENWAY BANK & TRUST

$ 1,000.00

TO THE ORDER OF Citizens for LaRouche Committee

CASHIER'S CHECK

8 2 0 7 0

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1202

Date Filmed 2/11/82 Camera No. --- 2

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