



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1446

Date Filmed 12-5-83 Camera No. --- 3

Cameraman JRL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 25, 1983

A. Thomas Carroccio, Esquire
Santarelli and Gimer
2033 M Street, N.W.
Washington, D.C. 20036

RE: MUR 1446

Dear Mr. Carroccio:

This is to inform you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in dark ink, appearing to read "Kenneth A. Gross", is written over the typed name.

BY: Kenneth A. Gross
Associate General Counsel

83040441211



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

A. Thomas Carroccio, Esquire
Santarelli and Gimer
2033 M Street, N.W.
Washington, D.C. 20036

RE: MUR 1446

Dear Mr. Carroccio:

This is to inform you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4175.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

AW
11/23/73



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 25, 1983

Ms. Honey Lanham
Executive Director
Libertarian National Committee
7887 Katy Freeway, #385
Houston, Texas 77024

RE: MUR 1446

Dear Ms. Lanham:

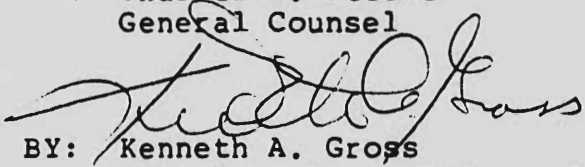
On November 21, 1983, the Commission approved the conciliation agreement signed by you as executive director of the Libertarian National Committee. Pursuant to the agreement, the Committee must forward to the Commission a \$1,500 civil penalty within thirty days of the date this agreement was executed on behalf of the Commission.

The file in this matter has been closed and will become part of the public record within thirty days thereafter. 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the Respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Ms. Honey Lanham
Executive Director
Libertarian National Committee
7887 Katy Freeway, #385
Houston, Texas 77024

RE: MUR 1446

Dear Ms. Lanham:

On November 21, 1983, the Commission approved the conciliation agreement signed by you as executive director of the Libertarian National Committee. Pursuant to the agreement, the Committee must forward to the Commission a \$1,500 civil penalty within thirty days of the date this agreement was executed on behalf of the Commission.

The file in this matter has been closed and will become part of the public record within thirty days thereafter. 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the Respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

AW 12/23/83

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Libertarian National)
Committee)

MUR 1446

10 P2:33

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe was found that the Libertarian National Committee (hereinafter "Respondent") in 1980 violated 2 U.S.C. §§ 434(b), 441a(a), and 441b by failing to file correct total figures and required information regarding receipts and expenditures, by making excessive contributions to the Clark for President Committee, and by accepting contributions from corporate entities.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent is a political committee pursuant to 2 U.S.C. § 431(4)(A).

2. Reporting of Receipts and Disbursements.

a. 2 U.S.C. § 434(b) requires political committees to report the total amount of all receipts and to identify all persons who make contributions to the committee in excess of \$200 within the calendar year.

b. Respondent failed to report \$39,770.86 in monies received in 1980 and to identify the contributors of \$34,228.91 in itemizable contributions.

c. On May 21, 1982, Respondent filed an amendment to its Year End Report for 1980 disclosing \$39,770.86 in receipts and identifying \$34,228.91 in itemizable contributions from thirty-three individuals.

d. 2 U.S.C. § 431(13)(A) defines "identification" of an individual to include "the name, the mailing address, and the occupation of such individual, as well as the name of his or her employer."

e. 2 U.S.C. § 432(i) states that "when the treasurer of a political committee shows that best efforts have been used to obtain, maintain and submit information required by the Act. . . , any report . . . shall be considered in compliance with this Act. . . ."

f. 11 C.F.R. § 104.7(b) states that "(w)ith regard to reporting the identification. . . of each person whose contribution(s) to the committee. . . aggregate in excess of \$200 in a calendar year. . . , the treasurer will not be deemed to have exerted best efforts to obtain the required information unless he or she has made at least one effort per solicitation. . . to obtain such information from the contributor."

g. In its May 21, 1982 amendment to its Year End Report for 1980, Respondent failed to report the occupations and the names of employers with regard to the contributors of \$34,228.91 in itemizable contributions.

h. Respondent has submitted examples of solicitation materials requesting contributors' occupations and employers' names, thus demonstrating "best efforts" to provide this information pursuant to 2 U.S.C. § 432(i) and 11 C.F.R. § 104.7(b). The subject reports shall be considered to be in compliance with 2 U.S.C. § 434(b).

i. Respondent filed reports of 1980 activity with incorrect summary page totals for receipts, expenditures and cash-on-hand.

j. On May 2, 1983, Respondent submitted amendments to its Year End Report for 1980 correcting summary page totals.

k. 2 U.S.C. § 434(b) requires political committees to report "the name and address of each person to whom an expenditure in an aggregate amount or value in excess of \$200 within the calendar year is made"

l. Respondent failed to report fifty-nine expenditures totaling \$73,883.44 which were made in 1980 and which required itemization.

m. On May 21, 1982 and May 2, 1983, Respondent filed amendments to its Year End Report for 1980 itemizing fifty-nine expenditures totaling \$73,883.44, thereby mitigating Respondent's violation of 2 U.S.C. § 434(b).

3. Excessive Contributions.

a. 2 U.S.C. § 441a(a)(1)(A) limits to \$1,000 contributions which a person may make to any candidate and his authorized political committee.

b. 2 U.S.C. § 431(8)(B)(xiii) exempts from the statutory definition of contribution at 2 U.S.C. § 431(8)(A) "payments made by a candidate or the authorized committee of a candidate as a condition of ballot access and payments received by any political party committee as a condition of ballot access."

c. 2 U.S.C. § 431(9)(B)(x) exempts from the statutory definition of "expenditure" at 2 U.S.C. § 431(9)(A) "payments received by a political party

committee as a condition of ballot access which are transferred to another political party committee or the appropriate State official."

d. Between July 2, 1980 and August 8, 1980, Respondent disbursed a total of \$46,012.56 to the Ed Clark for President Committee from its ballot drive account and its headquarters operating account.

e. Respondent asserts that its payments to the Ed Clark for President Committee were earmarked for obtaining ballot access in various states.

f. Payments made by a party committee to a candidate and his authorized committee, and received by that candidate and his committee, do not fall within the ballot access exemptions to the definitions of "contribution" or "expenditure" set forth at 2 U.S.C. § 431(8)(B)(xiii) and 2 U.S.C. § 431(9)(B)(x).

g. By making contributions to the Ed Clark Committee which exceeded Respondent's limitation by \$45,012.56, Respondent violated 2 U.S.C. § 441a(a)(1)(A).

h. On August 29, 1980, the Ed Clark for President Committee refunded \$24,300 to Respondent in response to a request for additional information received from the Commission.

i. On June 13, 1983, the remaining \$20,712.56 of the \$45,012.56 in excessive contributions made to the

Ed Clark for President Committee was refunded to Respondent.

j. Respondent failed to report \$31,400 of the \$46,012.56 in disbursements made to the Ed Clark for President Committee. (See Subsection (2)(1) above). Respondent contends that this failure was due solely to a misinterpretation of the relevant statute and that the violation was not willful.

4. Prohibited Contributions.

a. 2 U.S.C. § 441b prohibits political committees from accepting contributions from incorporated entities.

b. Respondent received twenty-six disbursements totaling \$3,903.52 from incorporated entities in 1980.

c. Of the \$3,903.52 in corporate disbursements cited in subsection (b) above, \$1,479.90 involved payments for the rental by Respondent of name lists to two entities. Compensation received for such name list rentals does not constitute a contribution, pursuant to Advisory Opinions 1982-41, 1981-53, 1981-46 and 1979-18.

d. The remaining \$2,423.62 of the \$3,903.52 in corporate disbursements cited in subsection (b) above, constitutes corporate contributions received in violation of 2 U.S.C. § 441b.

e. Respondent has transferred to the Libertarian Party Education Fund the entirety of the said corporate disbursements.

V. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of Fifteen Hundred Dollars (\$1,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VI. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than ninety (90) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. Pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), this agreement is a complete bar to any further action by the Commission except as provided in section VII of this agreement.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

November 23, 1983
Date

BY:

Kenneth A. Gross
Associate General Counsel

LIBERTARIAN NATIONAL COMMITTEE:

21 October 1983
Date

BY:

Honey S. Lankam

ITS:

National Director

3304011213

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1446
Libertarian National)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 21, 1983, the Commission decided by a vote of 5-0 to take the following actions in MUR 1446:

1. Accept the conciliation agreement with the Libertarian National Committee as attached to the General Counsel's November 17, 1983 Memorandum to the Commission.
2. Send the letters as attached to the November 17, 1983 Memorandum in the above-captioned matter.
3. Close the file.

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

Attest:

11-22-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

11-17-83, 9:30
11-17-83, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: November 17, 1983
SUBJECT: MUR 1446 - Memorandum to The Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [x]
Sensitive [x]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [x]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

83 NOV 17 A 9: 30

November 17, 1983

MEMORANDUM

SENSITIVE

TO : The Commission

FROM : Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

SUBJECT: MUR 1446 - Conciliation Agreement

Attached is a conciliation agreement which has been signed by the executive director of the Libertarian National Committee ("the Committee").

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2-1-63

- 2-1-63

2-1-63

2-1-63

6cc# 1020

SANTARELLI & GIMER

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

2033 M STREET, N.W.
WASHINGTON, D.C. 20036

TELEPHONE
(202) 466-6800

DONALD E. SANTARELLI, P.C.
RICHARD B. GIMER, P.C.
LAURENCE R. JAPPE, P.C.
EDWARD J. SMITH, JR.
DAVID H. MARTIN
A. THOMAS CARROCCIO
C. MICHAEL TARONE
M. STUART MADDEN
JAMES J. PINTO

ROBERT ALAN JONES
AXEL KLEIBOEMER
OF COUNSEL

October 25, 1983

10/26/83 4:03

Kenneth A. Gross, Esquire
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1446

Dear Mr. Gross:

Transmitted herewith on behalf of the Ed Clark for President Committee is the Committee's check No. 120, which is payable to the Federal Election Commission in the amount of One Thousand Dollars (\$1,000.00). This check constitutes full satisfaction of the civil forfeiture provision of the September 26, 1983 Conciliation Agreement resolving the captioned proceeding with regard to the Committee.

By the enclosed payment, the Committee has fully complied with the conditions of the Conciliation Agreement and, therefore, the proceeding is terminated with regard to the Committee. However, the Committee hereby requests that all information acquired by the Commission in the course of the proceeding be maintained in strict confidence in light of the continuing nature of the proceeding with regard to other parties.

Should any further questions arise with regard to this matter, please communicate with the undersigned member of this firm.

Sincerely,

SANTARELLI & GIMER


A. Thomas Carroccio

Counsel for
Ed Clark for President
Committee

ATC/lbw

Enclosure

304041213



ED CLARK FOR PRESIDENT
COMMITTEE/GENERAL FUND
2139 WISCONSIN AVE., NW., NO. 102
WASHINGTON, D.C. 20007

120

10/20

83

15-120
640

Pay to the order of

Federal Election Commission \$ 1,000.00

One Thousand 00/100 — DOLLARS

D.C. National
Bank ★★

DISTRICT OF COLUMBIA NATIONAL BANK
Georgetown Office
1729 Wisconsin Avenue, N.W.
Washington, D.C. 20007

MEMO Five

Cynthia Messina

⑆054001204⑆ 0120 ⑈410443 9⑈



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1983

A. Thomas Carroccio, Esquire
Santarelli and Gimer
2033 M Street, N.W.
Washington, D.C. 20036

RE: MUR 1446

Dear Mr. Carroccio:

On September 22, 1983, the Commission approved the conciliation agreement signed by Cynthia A. Messina as treasurer of the Ed Clark for President Committee.

Pursuant to the agreement, the Committee must forward to the Commission a \$1000 civil penalty within thirty days of the date the agreement was executed on behalf of the Commission. Upon receipt of this payment the file will be closed as regards the Committee's involvement in this matter. The file will not, however, become part of the public record until it is entirely closed. The Committee will be informed prior to the public release of the file.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement.

Sincerely,

Charles N. Steele
General Counsel

[Signature of Kenneth A. Gross]
BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation agreement



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

A. Thomas Carroccio, Esquire
Santarelli and Gimer
2033 M Street, N.W.
Washington, D.C. 20036

RE: MUR 1446

Dear Mr. Carroccio:

On September 2, 1983, the Commission approved the conciliation agreement signed by Cynthia A. Messina as treasurer of the Ed Clark for President Committee.

Pursuant to the agreement, the Committee must forward to the Commission a \$1000 civil penalty within thirty days of the date the agreement was executed on behalf of the Commission. Upon receipt of this payment the file will be closed as regards the Committee's involvement in this matter. The file will not, however, become part of the public record until it is entirely closed. The Committee will be informed prior to the public release of the file.

2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing. The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed.

Enclosed you will find a fully executed copy of the final conciliation agreement.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation agreement

Aw
9/23/83

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1446
Ed Clark for President)
Committee)

CONCILIATION AGREEMENT

6304011351
This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Reason to believe was found that the Ed Clark for President Committee (hereinafter "Respondent") in 1980 violated 2 U.S.C. § 441a(f), by accepting excessive contributions from the Libertarian National Committee.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent is a political committee pursuant to 2 U.S.C. § 431(4)(A).

2. 2 U.S.C. § 441a(a)(1)(A) limits to \$1,000 contributions which a person may make to any candidate and his authorized political committee.

3. 2 U.S.C. § 441a(f) prohibits a candidate or political committee from knowingly accepting contributions which exceed "any limitation imposed on contributions . . . by this section."

4. 2 U.S.C. § 431(8)(B)(xiii) exempts from the statutory definition of contribution at 2 U.S.C. § 431(8)(A) "payments made by a candidate or the authorized committee of a candidate as a condition of ballot access and payments received by any political party committee as a condition of ballot access."

5. 2 U.S.C. § 431(9)(B)(x) exempts from the statutory definition of "expenditure" at 2 U.S.C. § 431(9)(A) "payments received by a political party committee as a condition of ballot access which are transferred to another political party committee or the appropriate State official."

6. Between July 2, 1980 and August 8, 1980, Respondent accepted a total of \$46,012.56 from the Libertarian National Committee.

7. Respondent asserts that the payments accepted from the Libertarian National Committee were earmarked for obtaining ballot access in various states.

83040411253

8. Payments made by a party committee to a candidate and his authorized committee, and received by that candidate and his committee, do not fall within the ballot access exemptions to the definitions of "contribution" or "expenditure" set forth at 2 U.S.C. § 431(8)(B)(xiii) and 2 U.S.C. § 431(9)(B)(x).

9. By accepting contributions from the Libertarian National Committee which exceeded the latter committee's limitation by \$45,012.56, Respondent violated 2 U.S.C. § 441a(f).

10. On August 29, 1980, Respondent refunded \$24,300 to the Libertarian National Committee in response to a request for additional information received from the Commission.

On June 13, 1983, the remaining \$20,712.56 of the \$45,012.56 in excessive contributions made by the National Libertarian Committee was refunded by Respondent.

V. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of One Thousand Dollars (\$1,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VI. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with

6304041253

this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

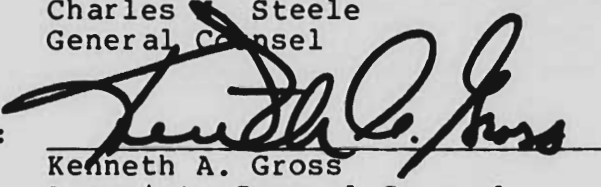
IX. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

FOR THE COMMISSION:

Charles E. Steele
General Counsel

September 26, 1983
Date

BY:

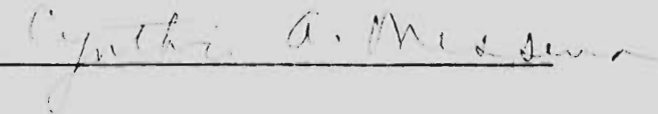

Kenneth A. Gross
Associate General Counsel

ED CLARK FOR PRESIDENT COMMITTEE:

September 26, 1983
Date

BY:

ITS:


Cynthia A. Messinger
Treasurer

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Ed Clark for President
Committee

)
)
)
)

MUR 1446

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 22, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1446:

1. Accept the conciliation agreement with the Ed Clark for President Committee as submitted with the General Counsel's September 20, 1983 Memorandum to the Commission.
2. Send the letter as attached to the September 20, 1983 Memorandum to the Commission.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

9-20-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

9-20-83, 10:03
9-20-83, 4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *WJ*
DATE: September 20, 1983
SUBJECT: MUR 1446 - Memorandum to The Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒
Sensitive ☒
Non-Sensitive ☐

24 Hour No Objection ☐
Sensitive ☐
Non-Sensitive ☐

Information ☐
Sensitive ☐
Non-Sensitive ☐

Other ☐

DISTRIBUTION

Compliance ☒

Audit Matters ☐

Litigation ☐

Closed MUR Letters ☐

Status Sheets ☐

Advisory Opinions ☐

Other (see distribution
below) ☐

SENSITIVE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 SEP 20 AIO: 03

September 20, 1983

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

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

SUBJECT: MUR 1446 Conciliation Agreement

Attached is a conciliation agreement which has been signed by the treasurer of the Ed Clark for President Committee.

RECOMMENDATIONS

1. That the Commission accept the attached conciliation agreement with the Ed Clark for President Committee.
2. That the attached letter be sent.

Attachments
Conciliation agreement
Letter to counsel

830401113



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cut*
DATE: June 16, 1983
SUBJECT: MUR 1446 - Memorandum to Commission

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒
Sensitive ☒
Non-Sensitive ☐

24 Hour No Objection ☐
Sensitive ☐
Non-Sensitive ☐

Information ☐
Sensitive ☐
Non-Sensitive ☐

Other ☐

DISTRIBUTION

Compliance ☒
Audit Matters ☐

Litigation ☐
Closed MUR Letters ☐

Status Sheets ☐
Advisory Opinions ☐

Other (see distribution
below) ☐

CLARK PRESIDENT

STATEMENT OF DESIGNATION OF COUNSEL

Ray Cunningham
Chairman

Chris Hocker
National Coordinator

Edward H. Crane III
Communications Director

Eric O'Keefe
Director of State Organization

David D. Boaz
Research Director

Kristina Herbert
Headquarters Manager

Dale Curtis Hogue
Finance Director

Tom G. Palmer
Assistant Communications Director

Jay Hilgartner
Assistant Research Director

Marion Williams
Field Coordinator

Fredrika Strandfeldt
Field Coordinator

John Ball
Field Coordinator

Gillian Jewell
Director of Computer Operations

Anita S. Anderson
Administrative Assistant

NAME OF COUNSEL: A. Thomas Carroccio
Santarelli and Gimer
ADDRESS: 2033 M Street N.W., Suite 700
Washington, D.C. 20036
TELEPHONE: 202-466-6800

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and
other communications from the Commission and to act on my
behalf before the Commission.

April 29, 1983

Date

Cynthia Messina
Signature

NAME: Cynthia Messina, Treasurer, Clark for President Committee

ADDRESS: 2139 Wisconsin Avenue N.W. #102
Washington D.C. 20007

HOME PHONE: (202) 965-9596

BUSINESS PHONE: (202) 333-8209



Libertarian Party

2 May 1983

Ms. Anne Weissenborn
Federal Election Commission
Washington, DC 20463

RE: MUR 1446

Dear Ms. Weissenborn:

Transmitted herewith is the LNC response to the General Counsel's Factual and Legal Analysis which was transmitted to us by letter from FEC Chair Frank P. Reiche on 29 December 1982. The questions raised in the analysis are addressed below.

A) The LNC has been informed by the FEC audit staff that contributor information has been provided to their satisfaction.

B1) Transmitted herewith are the ammended reports.

B2) Submitted herewith are examples of the best efforts of the LNC to identify the occupations and names of contributors' employers.

C) Counsel for the Clark for President Committee has indicated that he will respond to this item, and the LNC adopts that response.

D) The LNC has refunded all monies received from corporate entities in exchange for merchandise (see Attachment D).

Monies received from arm's length business transactions renting the LNC mailing list at the rates usually and normally charged in the market for such lists have not been refunded because the LNC relies on the principles of AO 1979-18.

Sincerely,

Honey S. Lanham

Honey S. Lanham
National Director

Attachments: B
B1
D

RECEIVED AT THE
600A 9957
83 MAY 3 10:34
Alicia Garcia Clark
Chairwoman
Sheldon Richman
Vice Chairman
Frances Eddy
Secretary
Vivian Baures
Treasurer
Honey S. Lanham
National Director

EXHIBIT B: Ammended reports.

03040441261

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

63 MAY 3 8:12:34

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

Libertarian National Committee

Address (Number and Street)

2139 Wisconsin Ave N.W.

City, State and ZIP Code

Washington, D.C. 20007

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00042275

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☒ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☒ YES

☐ NO

SUMMARY

5. Covering Period _____ through 12/31/80

6. (a) Cash on hand January 1, 19 _____

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee
(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee
(Itemize all on Schedule C or Schedule D)

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete

Vivian Baures

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437a

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202-523-4068

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

63 MAY 3 10:34

Name of Committee (in Full)

Libertarian National Committee

Report Covering the Period

From

To

12/31/80

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees.		406,128.12	11(a)
(Memo Entry Unitemized \$ _____)			
(b) Political Party Committees			11(b)
(c) Other Political Committees.		4,417.92	11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))		410,546.04	11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES.		11,920.31	12
13. ALL LOANS RECEIVED		81,000.00	13
14. LOAN REPAYMENTS RECEIVED.		6,503.44	14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		2,535.57	15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES		47,463.82	16
AND OTHER POLITICAL COMMITTEES			
17. OTHER RECEIPTS (Dividends, Interest, etc.)		4,931.16	17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)		564,900.34	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES.		382,230.54	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES.		15,136.18	20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND		30,612.56	21
OTHER POLITICAL COMMITTEES			
22. INDEPENDENT EXPENDITURES (use Schedule E)			22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES.		150,004.00	23
(2 U.S.C. § 441 a(d)) (Use Schedule F)			
24. LOAN REPAYMENTS MADE.		10,000.00	24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees.		978.24	26(a)
(b) Political Party Committees		1,149.00	26(b)
(c) Other Political Committees.			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c)).		2,127.24	26(d)
27. OTHER DISBURSEMENTS		12,351.78	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)		602,462.30	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)			29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)			31
32. TOTAL OPERATING EXPENDITURES from Line 19			32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)			34

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 3 for
LINE NUMBER Ia
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Ray Hendrickson Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 2/17/80	Amount of Each Receipt this Period 250.00
Aggregate Year-to-Date-\$			
B. Full Name, Mailing Address and ZIP Code Sylvia Olsom Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 2/29/80	Amount of Each Receipt This Period 208.00
Aggregate Year-to-Date-\$			
C. Full Name, Mailing Address and ZIP Code S.A. Long Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 3/18/80	Amount of Each Receipt This Period 2000.00
Aggregate Year-to-Date-\$			
D. Full Name, Mailing Address and ZIP Code Mark F. Doherty Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 4/10/80	Amount of Each Receipt This Period 500.00 500.00
Aggregate Year-to-Date-\$			
E. Full Name, Mailing Address and ZIP Code William Mayo Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 4/14/80	Amount of Each Receipt This Period 4950.00
Aggregate Year-to-Date-\$			
F. Full Name, Mailing Address and ZIP Code S.D. Cooley Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 6/3/80 6/25/80	Amount of Each Receipt This Period 500.00 150.00
Aggregate Year-to-Date-\$			
G. Full Name, Mailing Address and ZIP Code Mrs. G.B. Henderson Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts	Date (month, day, year) 7/19/80	Amount of Each Receipt This Period 1000.00
Aggregate Year-to-Date-\$			
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code David W. Saum Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 8/3/80	Amount of Each Receipt this Period 250.00
B. Full Name, Mailing Address and ZIP Code L.B. Barnes Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 8/12/80	Amount of Each Receipt This Period 250.00
C. Full Name, Mailing Address and ZIP Code Geroge Mason Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 8/15/80	Amount of Each Receipt This Period 270.00
D. Full Name, Mailing Address and ZIP Code Bernard A. Losching Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 8/18/80 8/22/80 9/8/80	Amount of Each Receipt This Period 280.00 280.00 300.00
E. Full Name, Mailing Address and ZIP Code H.B. Shasteen Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 8/18/80	Amount of Each Receipt This Period 270.00
F. Full Name, Mailing Address and ZIP Code Paul Grant Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 9/3/80	Amount of Each Receipt This Period 250.00
G. Full Name, Mailing Address and ZIP Code Richard K. Kenney Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date—\$	Date (month, day, year) 9/11/80	Amount of Each Receipt This Period 270.00
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			

SCHEDULE A

ITEMIZED RECEIPTS

Page 3 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

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Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Scott R. Bowden Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 10/6/80	Amount of Each Receipt This Period 930.00
B. Full Name, Mailing Address and ZIP Code Catherine Roland Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 10/6/80	Amount of Each Receipt This Period 1000.00
C. Full Name, Mailing Address and ZIP Code Thelma Dixon Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 10/10/80	Amount of Each Receipt This Period 500.00
D. Full Name, Mailing Address and ZIP Code Troy G. Stafford Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 10/10/80	Amount of Each Receipt This Period 250.00
E. Full Name, Mailing Address and ZIP Code Bill Blummert Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 10/17/80	Amount of Each Receipt This Period 1000.00
F. Full Name, Mailing Address and ZIP Code Wm. D. Burt Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 11/7/80	Amount of Each Receipt This Period 1000.00
G. Full Name, Mailing Address and ZIP Code Mary Lehmann Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer best efforts Occupation best efforts Aggregate Year-to-Date--\$	Date (month, day, year) 11/25/80	Amount of Each Receipt This Period 205.00
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only) 17,363.00			

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1
LINE NUMBER 21(Use separate schedule(s) for each
category of the Detailed
Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Fuerle for Atty General Penn.	contribution Disbursement for: ☒ Primary ☐ General ☐ Other (specify)	8/11/80	2000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Jacklyn Lambka	contribution Disbursement for: ☒ Primary ☐ General ☐ Other (specify)	8/1/80	13000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Kathrlyn JIacobs	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)	7/30/80	1000.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify)		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☒ Primary ☐ General ☐ Other (specify)		
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			16000.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 23
 (Use separate schedules) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Clark for President	Ballot Access	7/24/80	600.00
	Disbursement for ☐ Primary ☐ General	8/4/80	250.00
	☐ Other (specify)	8/4/80	1000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	8/4/80	1000.00
		8/4/80	2000.00
	Disbursement for ☐ Primary ☐ General	7/30/80	500.00
		7/30/80	1000.00
	☐ Other (specify)	7/30/80	750.00
	C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/20/80
		7/25/80	1000.00
Disbursement for ☐ Primary ☐ General		7/25/80	1000.00
		7/25/80	300.00
	☐ Other (specify)	7/25/80	
	D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/18/80
		7/17/80	2000.00
Disbursement for ☐ Primary ☐ General		7/16/80	2000.00
		7/16/80	1000.00
	☐ Other (specify)	7/17/80	500.00
	E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/15/80
		7/15/80	1000.00
Disbursement for ☐ Primary ☐ General		7/10/80	2000.00
		7/10/80	1000.00
	☐ Other (specify)	7/3/80	1000.00
	F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/10/80
		7/8/80	2000.00
Disbursement for ☐ Primary ☐ General		7/8/80	2000.00
		7/3/80	500.00
	☐ Other (specify)	7/3/80	1000.00
	G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/25/80
		7/25/80	1000.00
Disbursement for ☐ Primary ☐ General		7/10/80	1000.00
		7/25/80	2000.00
	☐ Other (specify)	7/21/80	1000.00
	H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/16/80
		7/10/80	1000.00
Disbursement for ☐ Primary ☐ General		7/10/80	2000.00
		7/3/80	2000.00
	☐ Other (specify)	7/25/80	600.00
	I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)
Disbursement for ☐ Primary ☐ General			
	☐ Other (specify)		
	SUBTOTAL of Disbursements This Page (optional)		
	TOTAL This Period (last page this line number only)		46,000.00

83 MAY 3 PM: 34

EXHIBIT B1: Samples of LNC attempts to obtain occupations and names of contributors' employers.

33040441251

83 MAY 3 11:34

Please correct and add to the information below and return. 002529
 *OPTIONAL The FEC requires
 to ask for this information

Mr. David L. Gillis
 3153 W. Vienna Rd
 D-10

FL 33420

I
N
F
O

*OCCUPATION: MYC
 *EMPLOYER: MYS
 NIGHT PHONE: 313-686-6589
 DAY PHONE: 313-687-0630

I do not vote

Please correct and add to the information below and return. 008230
 *OPTIONAL The FEC requires
 to ask for this information

Mr. Ted McAnlis
 4718 Ascott Road
 North Palm Beach

FL 33403

I
N
F
O

*OCCUPATION: FREEMAN
 *EMPLOYER: NONE
 NIGHT PHONE: 305-626-3212
 DAY PHONE: 305-627-4513

Please correct and add to the information below and return. 005882
 *OPTIONAL The FEC requires
 to ask for this information

Mr. Harris I. Berkowitz
 1721 E. Battin
 Wichita

KS 67213

I
N
F
O

*OCCUPATION: WIDGET MAKE-
 *EMPLOYER: WCA (WIDGET
 NIGHT PHONE: CORPORATION
 DAY PHONE: OF
 AMERICA)

RECEIVED FEB 22 1983

Please correct and add to the information below and return. 023087
 *OPTIONAL The FEC requires
 to ask for this information

Mr. Willie Hill
 19 Ulloa Street
 San Francisco

CA 94117

I
N
F
O

*OCCUPATION: *Writer*
 *EMPLOYER: *Self*
 NIGHT PHONE: 415-665-5385
 DAY PHONE: *same*

What's Available From Headquarters?

Qty Amt Pamphlets:

Platform of the Libertarian Party. As adopted during the 1981 National Convention in Denver, Colorado (50¢ each)

Leaflet:

New 8½ by 11 leaflet, based on the Q&A Brochure. (5¢ each)

Libertarian Party Bylaws. As adopted during the 1981 National Convention in Denver, Colorado (\$1.00 each)

Books:

Libertarian Political Action. Campaigning skills including campaign organization, petitioning instructions, fundraising skills, outreach techniques and media contact. (\$5.00 each)

A New Beginning by Ed Clark (\$4.00 each)

Films:

"We Hold These Truths." Excellent introduction to the Libertarian Party. Available in 16mm film (\$125.00), VHS and Betamax (\$45.00, specify Beta 1 or Beta 11). Rental cost for film: \$25 for two days, \$40 for full week. Tape rental is \$15 for one week. Shipping included in purchase and rental price.

"The Incredible Bread Machine." 16mm film produced by World Research, Inc., available for rental (\$30.00).

Issue Papers:

Taxation

Unemployment

Social Security

Nuclear Weapons Freeze

Government and Mental Health

Nuclear Power

Posters:

Libertarian Party Statement of Principles (inscribed on parchment-like paper, suitable for framing)

"No Draft-No War" (23"x 35")

"Against the Draft" (17"x11") LNC draft resolution printed on parchment

"Clark for President" (18½"x 26")

"MacBride for President" (18"x 26")

"Hospers for President" (18½"x 26")

Statue of Liberty Poster (see p.20) printed on 80 lb. paper stock. (\$2.50 each; 5 for \$10.00)

"Vote Libertarian" cardboard poster 11" by 30" (\$4.00 each; 5 for \$15.00)

Notecards: (\$10 for 25)

Statue of Liberty notecards and envelopes, package of 25.

Bumper Stickers: (\$1.00 each)

Libertarian Party: The Party of Principle

Stop The Draft: Vote Libertarian

Legalize Freedom: Vote Libertarian

Total Amount of Order (15% discounts are given for orders over \$50.)

\$1.00

Add \$1.00 for postage and handling

MATERIAL ORDER TOTAL

Make checks payable to Libertarian Party, 2139 Wisconsin Ave., NW, Suite 102; Washington, DC 20007

Name _____

Address _____

City _____

State _____ Zip _____ Phone (_____) _____

Occupation and Employer Name† _____

†Federal Election law requires us to ask for this information.

Enclosed is my check or money order made payable to "Libertarian Party."

Bill my ☐ Master Charge ☐ Visa

Account # _____ Exp. Date _____

Bank # (MC only) _____

Name as appears on card _____

Libertarian Party 2139 Wisconsin Ave., N.W., Washington, DC 20007 (202) 333-8209

☒ I am enclosing my contribution of \$ _____.

☐ I would like to apply a portion of my contribution toward membership in the following category:

☐ Basic - \$10 ☐ Sustaining - \$20 ☐ Patron - \$100 ☐ Associate/Life - \$250 ☐ Life Benefactor - \$1000

"I hereby certify that I do not believe in or advocate the
initiation of force as a means of achieving political goals."

Signature

Name _____

Day phone _____

Address _____

Night phone _____

Occupation * _____

Make checks payable to LIBERTARIAN PARTY.

A copy of our report is filed with the Federal Elections
Commission and is available for purchase from the
Federal Elections Commission, Washington, D.C.

Name of employer* _____

* Optional. The Federal Elections Com-
mission requires us to ask for this
information.

I would like to charge my contribution
through ☐ Mastercard ☐ VISA

Amount \$ _____

Card No. _____

Expiration Date _____

Signature

Name on Card

83 MAY 3 816: 34

Urdal, Shirley D.
Urdal, David L.

N. Reg.
11-13-81

My name should be on the honor roll of LP supporters!

Enclosed is my check (made out to Libertarian National Committee) for:

- ☐ New Membership
☐ Renewal Membership

I've also enclosed an additional contribution of \$_____ to help further the work of the Libertarian party.

TYPE OF MEMBERSHIP

- ☐ Student (\$5) ☐ Patron (\$100)
☒ Regular (\$10) ☐ Associate (\$250)
☐ Sustaining (\$20) ☐ Benefactor (\$1000)

(2x) 01, 811113

11. Reg.

I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.

Shirley D. Urdal
(Signature)

in file

not in file

no signature
CHECKED JAN 27 1983

NAME (Mr. Mrs. Ms.)

David L. & Shirley D. Urdal

Address

3112 N. L. 70th

NOV 13 1980

City, State, Zip

Seattle, WA

98115

20.00

Occupation and Employer Name*

016564

*Federal Election Law requires us to ask for this information

Is there someone you know who should hear about the Libertarian party? Please enclose his or her name and address and we'll send along an information packet on the party and what we're doing in 1980.

"When all is said and done, the big story that may emerge out of the November elections will not be who won the presidency, but how the Libertarians moved from minor to major party status...."

—Political Action Re.

C 12/1/82

33040441273

Westgaard, Thomas P.
Westgaard, Loretta J.

WI
N. Sust
10-14-81

My name should be on the honor roll of LP supporters!

Enclosed is my check (made out to Libertarian National Committee) for:

- ☒ New Membership — 2
☐ Renewal Membership

I've also enclosed an additional contribution of \$ _____ to help further the work of the Libertarian party.

TYPE OF MEMBERSHIP

- ☐ Student (\$5) ☐ Patron (\$100)
☐ Regular (\$10) ☐ Associate (\$250)
☒ Sustaining (\$20) ☐ Benefactor (\$1000)

(2x) 02, 811014
N. Sust.

"I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals."

Thomas P. Westgaard

Loretta J. Westgaard

(Signature)

CHECK in file 017913 not in file

NAME (Mr./Mrs./Ms.) Mr. Thomas P. Westgaard / (Mrs. Thomas P.)
and Loretta J. Westgaard

Address 5355 So. Tuckaway Ln., Apt. #2 OCT 14 1980

City, State, Zip Greenfield, N.H. 03221 40.00

Occupation and Employer Name: Does Federal Election Law require us to answer?
*Federal Election Law requires us to ask for this information

Is there someone you know who should hear about the Libertarian party? Please enclose his or her name and address and we'll send along an information packet on the party and what we're doing in 1980.

"When all is said and done, the big story that may emerge out of the November elections will not be who won the presidency, but how the Libertarians moved from minor to major party status..."

— Political Action Report

C 11/6/80
JEG

830401127

10. **Earth's Resources: Private Ownership vs. Public Waste.** Libertarian answers to pollution and other environmental problems. (\$5.00 each)
11. **Gay Rights: A Libertarian Approach.** Booklet outlining Libertarian answers to gay rights questions, with application to all "social justice" issues. (50¢ each, 100 or more @ 25¢)
12. **Inflation: Its Cause and Cure** Position Paper #2 (5¢ each, 100 or more @ 3.5¢)
13. **Civil Liberties** Position Paper #3 (5¢ each, 100 or more @ 3.5¢)
14. **Nuclear Power: A Question of Insurance.** Position Paper #4 (5¢ each, 100 or more @ 3.5¢)
15. **Government and Business** Position Paper #5 (5¢ each, 100 or more @ 3.5¢)
16. **Pot, Helmets, Vitamins, and You** Position Paper #6 (5¢ each, 100 or more @ 3.5¢)
17. **Gun Control** Position Paper #7 (5¢ each, 100 or more @ 3.5¢)
18. **Government and "Mental Health"** Position Paper #8 (5¢ each, 100 or more @ 3.5¢)
19. **Conscription: The New Slavery** Position Paper #9 (5¢ each, 100 or more @ 3.5¢)

for the Activist

20. **LP Campus Organizing Manual.** How to's and suggestions by experienced LP activists. (\$1.50 each)
21. **LP Activist's Manual.** Based on the Party's successful Political Action Workshops. (\$5.00 each)
22. **Clark For President Posters** (\$1.00 each, 3 or more @ 50¢)
23. **Clark For President Buttons** (50¢ each)

scribed on parchment-style small poster, suitable for framing (\$12.50 each)

From the Archives (As Available)

35. **1976 "Macbride For President"** Poster (\$2.50 each)
36. **LP News Back Issues.** Specify issue. (50¢ each)
37. **"Macbride Talks to Conservatives"** Audio-Forum Cassette Tape (\$3.00 each)
38. **"Macbride's 1976 LP Platform"** Audio-Forum Cassette Tape (\$3.00 each)
39. **"Macbride For President"** Five Minute TV Ad Audio-Forum Cassette Tape (\$5.00 each)

Payment must accompany order. Libertarian Party organizations may deduct 15% from total. Prices include costs of shipping and handling.

Make checks payable to "Libertarian National Committee" and if possible use street address below, as U.P.S. will not deliver to PO Box. Mail completed order form and payment to:

Libertarian National Committee
2300 Wisconsin Ave., N.W.
Washington, DC 20007

TOTAL = \$23.58

AUG 6 1980

23.58

NAME Donald M. Shepherd

ADDRESS 216 NORTH SHORE DRIVE

CITY, STATE & ZIP PRINCE FREDERICK, MD. 20678

OCCUPATION* SYSTEMS ANALYST EMPLOYER NAME* U.S. CENSUS BUREAU

* Federal election law requires us to ask for this information.

I want to ☒ make ☐ renew my contribution to the work which Libertarian National Committee headquarters is doing to achieve freedom in our time! Enclosed is my check for the indicated amount. **CHECKED FEB 1 1983**

☐ Student (\$5)
(1, 2, 6, 33)

☐ Sustaining (\$20)
(add 8, 12-19, 23)

☐ Associate (\$250)
(add 9 or 10)

☒ Basic (\$10)
(add 3)

☐ Patron (\$100)
(add 24, 4)

☐ Benefactor (\$1000)
(add 34)

Numbers indicate items on the order form which are sent to those making contributions in each category. Availability may vary.

"I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals."

Signature Donald M. Shepherd

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, DC.

COMPLETED 8/18/80

014079

My name should be on the honor roll of LP supporters!

Enclosed is my check (made out to Libertarian National Committee) for:

- ☒ New Membership
☐ Renewal Membership

I've also enclosed an additional contribution of \$ 10 membership for to help further the work of the
Libertarian party Mr. R. E. Smith

TYPE OF MEMBERSHIP

- ☐ Student (\$5) ☒ Patron (\$100)
☐ Regular (\$10) ☐ Associate (\$250)
☐ Sustaining (\$20) ☐ Benefactor (\$1000)

"I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals."

Chas Rort Pearson
(Signature)

03, 810304

005836 MT

71 Patron new

AUG 4 1980

\$110.00

NAME (Mr. Mrs. Ms.) CHAS-RORT PEARSON check boy

Address 1212 BAKER LANE, N.E.

City, State, Zip MARIETTA, GEORGIA

Occupation and Employer Name* ENGINEER - SELF

*Federal Election Law requires us to ask for this information

Is there someone you know who should hear about the Libertarian party? Please enclose his or her name and address and we'll send along an information packet on the party and what we're doing in 1980.

COMPLETED

AUG 21 1980

"When all is said and done, the big story that may emerge out of the November elections will not be who won the presidency, but how the Libertarians moved from minor to major party status."

—Political Report

3304041276

EXHIBIT D: Refunds of all monies from corporate entities which were exchanged for any merchandise such as royalties, advertising and literature except rental of name lists.

Auditors' total \$ 3903.52

Rental of name lists

Cato Institute	(274.05)
Cato Institute	(655.85)
Libertarian Review	(550.00)

Total refunded \$ 2423.62

83340441277

FEDERAL ELECTION COMMISSION

Account number

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 Gene W. [Signature]

Date 11/29/83

1525

8 March 1183

$$\frac{15-120}{540}$$

L. P. Education Fund. Acct. # 410.470-6. \$ 704.20

Seven hundred four and 20/100

DOLLARS

DISTRICT OF COLUMBIA NATIONAL BANK

Georgetown Office
1729 Wisconsin Avenue, N.W.
Washington, D. C. 20007

DEK ***
 8729 Wisconsin Avenue, N.W.
 Washington, D. C. 20007

For Ref 1480 Corp. Control by F.E.C. *W. Henry S. Starkman*

1574

8 March 1985

$$\frac{15-120}{640}$$

L. P. Education Fund. Acct. # 410-470-6 \$ 934.43

Nine hundred thirty four and 42/100

DOILERS

DISTRICT OF COLUMBIA NATIONAL BANK

Georgetown Office
1729 Wisconsin Avenue, N.W.
Washington, D.C. 20007

Ref. 1980. Corp. Cont. by F.E.C.
Money & Finance

1510

$$\frac{13}{8} = 1\frac{5}{8}$$
$$\frac{15-120}{640}$$

L. P. Education Fund. Acct # 410-470-6 \$ 785.00

Seven hundred eighty five and 00/100

DOLLARS

DISTRICT OF COLUMBIA NATIONAL BANK

OF COLUMBIA NATION
Georgetown Office
1729 Wisconsin Avenue, N. W.

FOR REF. 1980 COPY. CONT'D. BY F.E.C. *Shoracy & Friedman*

2,42362

CONFIDENTIAL

deposit subject to the terms and conditions of this bank's collection agreement.

TOTAL FROM OTHER SIDE
OR ATTACHED LIST

785.00

934.42
704.20

CKS LIST EACH SEPARATELY
Corp. Cont.

Corp. Cont.
Corp. Cont.

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DATE 3/9/83 CURRENCY

D.C. National DISTRICT OF COLUMBIA NATIONAL BANK
 Bank ★ ★ ★ Georgetown Office

1729 Wisconsin Avenue, N.W.
Washington, D.C. 20007

D.C. National Bank ★★ ★

15-120
540

DEPOSIT TICKET

LIBERTARIAN PARTY
EDUCATION FUND



8 3 0 4 0 1 1 6 9 0

13 MAY 2 1984

FIRST CLASS

Ms. Anne Weissenborn
FEC
Washington, DC 20463



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE *mwe*
FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*
DATE: FEBRUARY 15, 1983
SUBJECT: MUR 1446 - Comprehensive Investigative
Report #1, signed February 10, 1983;
Received in Office of Commission
Secretary, 2-14-83, 11:22

The above-named document was circulated to the
Commission on a 24 hour no-objection basis at 4:00,
February 14, 1983.

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

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cc: Weissenborn



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 16, 1983

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *[Signature]*
STAFF DIRECTOR

FROM: BOB COSTA *[Signature]*

SUBJECT: MUR 1446

In accordance with your memorandum dated December 28, 1982, the Audit staff contacted the Libertarian National Committee (LNC) and arranged to complete our test of contributor information. We visited LNC headquarters in Washington, D.C. and were allowed to use a computer terminal in which the required information was stored.

As outlined in our memorandum to the Commission dated May 19, 1982, we were originally denied access to LNC contributor information. This denial precluded us from verifying that LNC had met the recordkeeping and disclosure requirements of the Act.

On February 3, 1982, we completed our review at LNC headquarters and no material problems regarding recordkeeping of contributor information were noted. Therefore, no additional action is recommended.

If you have any questions on this matter, please feel free to call Ray Lisi or Steve Sanford at extension 3-4155.

BEFORE THE FEDERAL ELECTION COMMISSION

83 FEB 14 AM: 22

In the Matter of)
Libertarian National)
Committee)
Ed Clark for President)
Committee)

MUR 1446

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT #1

On December 27, 1982, the Commission found reason to believe that the Libertarian National Committee ("LNC") has violated 2 U.S.C. §§ 434(b), 441a and 441b, and that the Ed Clark for President Committee has violated 2 U.S.C. § 441a(f). These findings followed referral to this Office of problems identified during the Commission's audit of the LNC.

The executive director of the LNC and counsel for the Clark committee have both responded to the notification of the Commission's findings and have expressed their respective desires to cooperate in order to bring this matter to a rapid resolution. Possible ways of resolving the separate issues involved have been discussed, and this Office anticipates the receipt of requests for pre-probable cause conciliation in the very near future.

With regard to the LNC's failure to produce contribution records during the audit, the Audit Division was recently able to

examine the committee's data base and found no material problems with the committee's recordkeeping.

Charles N. Steele
General Counsel

Feb. 10, 1983
Date

BY:

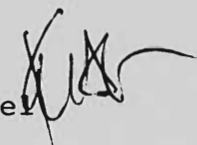
Kenneth A. Gross
Associate General Counsel

3304044120

Dictated 1/12/83

1/17/83

MEMORANDUM TO THE FILE

FROM: Kenneth A. Gross
Associate General Counsel 
SUBJECT: MUR 1446 (Libertarian Party)

I received a call from Honey Lanham of the Libertarian Party on January 11, 1983. She was calling in response to a RTB notice on the above-referenced matter. I informed her that the staff attorney on this matter was Victor Sterling but in that I have spoken to her previously I would consult with her further on this matter. She also said that Ray Lisi was calling her from the Audit Division pursuant to the audit aspect of this MUR. She said that she had not fully reviewed the matter but that she had received a call from Ed Clark who is the other respondent in this matter. She indicated that they do not intend to fight the legal issue of whether the expenditures to Clark were for purposes of ballot access or not. However, she indicated that Clark was planning to hire a lawyer and that he might represent Libertarian Party as well but they have not decided on that. I informed her of the process that was involved and the corrective action that she should take to mitigate any violation. In addition, I explained to her the pre-probable cause procedures. Again, she seemed very cooperative and was anxious to straighten matters out. I indicated to her that there may be a civil penalty involved but that we were primarily concerned with getting this committee straightened

Memorandum to the File
Page Two
MUR 1446 (Libertarian Party)

out inasmuch as they apparently have had substantial problems in the past and have indicated that they wish to be involved in the process in 1984.

Ms. Lanham said she would review the file further and get back to us. I suggested that a meeting might be useful if she was unclear on what steps needed to be taken. If she does not get back to us by January 24, 1983, I think we should call her.

cc: Victor Sterling

86040111333



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 29, 1982

Ms. Vivian Baures, Treasurer
Libertarian National Committee
National Headquarters
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007

RE: MUR 1446

Dear Ms. Baures:

On December 27, 1982, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. §§ 434(b), 441a and 441b, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis with attachments which formed a basis for the Commission's finding, is attached for your information. The Commission also decided to defer action on your committee's failure to produce contributor information in that after the referral of this matter to the Office of General Counsel you offered a method in which that information could be tested. A member of the Commission's audit division will contact you with regard to auditing the contributor information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desire. See 11 C.F.R. § 111.18(d).

Letter to Vivian Baures
Page 2
MUR 1446

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Victor Sterling, the attorney assigned to this matter, at 523-4175.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1446
STAFF MEMBER & TEL. NO.
Victor Sterling
202 523-4175

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

RESPONDENT: Libertarian National Committee

GENERATION OF MATTER

On May 24, 1982, the Commission considered the final audit report of the Libertarian National Committee (LNC) and voted to refer this matter to the Office of General Counsel for compliance action.

SUMMARY OF POSSIBLE VIOLATIONS

The following possible violations were ascertained by auditors:

A) The LNC failed to provide contributor information in that LNC officials denied the audit staff access to the computer which contained the information. LNC officials indicated that if they allowed access to the computer on individual contributions, this access would necessarily include the period

from 1979 through 1981 and since the period of the audit only covered January 1, 1980 through December 31, 1980, the committee denied auditor access.

B) (1) LNC failed to accurately disclose its cash on hand involving \$39,770.86 in receipts and failed to itemize contributions from 33 individuals totaling \$34,228.91. The latter amount is included in the total of \$39,770.86 of unreported receipts.

(2) LNC failed to report 59 expenditures totaling \$73,883.44 which require itemization. Additionally, according to the audit report there was an overstatement of expenditures in the net amount of \$1,348.30.

C) LNC bank records indicate that the Committee disbursed \$46,012.56 to the Clark for President Committee. The Clark for President Committee has refunded \$24,300 to LNC leaving an unrefunded balance of \$20,712.56 over the limit.

D) LNC received 26 contributions totaling \$3,903.52 from apparent corporate entities. An LNC official stated to the auditors that the funds were received from the sale of literature, advertising space in the LNC newspaper and for rental of LNC mailing lists.

According to the information compiled by the auditors based on the review of documentation and statements made by LNC officials to the auditors, the following analysis is prepared.

FACTUAL AND LEGAL ANALYSIS

A. Failure to provide contributor information.

On May 24, 1982, the Commission voted to refer to the Office of General Counsel possible violations of 2 U.S.C. § 434(b) for LNC's failure to make contributor information available to the auditors. Subsequent to the Commission's decision to refer this matter, LNC responded to the auditors and described a method for reviewing source documentation in order to review contributor information. The auditors have reviewed LNC's response and have indicated in a July 6, 1982 memorandum that if LNC were to allow audit staff access to the contributor files as LNC's treasurer describes, a limited receipt test could be performed. Prior to citing the Committee for violations of the Act it is this Office's recommendation that the auditors schedule this field work with the Committee. If this effort to review the documentation proves unsuccessful we will make further recommendations at that time, concerning the failure to produce contributor information as required by 2 U.S.C. § 434(b).

B. Reporting Errors and Omissions

LNC maintains two bank accounts, the headquarters operating account and the ballot drive account. The headquarter's operating account is used for depositing contributions received and disbursing funds for federal activity. The ballot drive account is used for gaining access to the ballot in various

states. Receipts into the ballot drive account were comprised of contributions deposited directly into the account and transfers from the headquarter's operating account. According to a review of LNC's reports, the ballot drive account reported expenditures for purposes such as ballot access and petitions. According to the auditor's review, based on a sampling of bank records and receipts, a majority of the expenditures from the ballot drive account were for the purpose of soliciting petition signatures and for reimbursement of travel expenses.

1. Unreported receipts

LNC failed to report \$39,770.86 in receipts. Of that amount \$14,660.00 was deposited into the ballot drive account and \$25,110.86 was deposited into the headquarter's operating account. Included in the \$39,770.86, the auditors identified to LNC 33 contributions totaling \$34,228.91 which required itemization (see attachment "A"). In a late response to the interim audit report after the referral of this matter, LNC filed amendments covering calendar year 1980 which disclosed the \$34,228.91 in itemizable contributions, however the contributors' occupation and names of employers were not disclosed. In addition, the summary page totals for individual contributions, other receipts and total receipts were incorrect.

2 U.S.C. §§ 434(b)(1), (2) and (4) require that each report include the amount of cash on hand at the beginning of the

reporting period, the total amount of receipts and disbursements for the reporting period and the calendar year. In addition, 2 U.S.C. § 434(b)(3) requires, in part, that the identity of each person making an aggregate contribution in excess of \$200 within a calendar year, shall be disclosed. 2 U.S.C. § 431(13)(A) defines identification as including the occupation and the name of the employer of the contributor. Thus, LNC's failure to file in a timely fashion the itemization of 33 contributions totaling \$34,228.91 and its continued failure to identify the occupation and names of contributors' employers is violative of 2 U.S.C. § 434(b)(3)(A). LNC's failure to correct the summary page totals for individual contributors, other receipts and total receipts is violative of 2 U.S.C. §§ 434(b)(1), (2) and (4).

2. Unreported expenditures

LNC failed to report 59 expenditures totaling \$73,883.44 which require itemization. Of that amount \$62,000 was disbursed from the ballot drive account and \$11,883.44 was disbursed from the headquarter's operating account. In addition, mathematical errors in LNC's reports caused expenditures to be overstated by the net amount of \$1,348.30. The auditors provided LNC with a schedule of the expenditures requiring itemization at the exit conference. In response, LNC filed amendments to their reports attempting to address the failure to itemize expenditures, however a \$13,000 expenditure was reported as a \$1,300

expenditure. In an apparent attempt to reconcile the balances LNC reported the difference of \$11,700 as an adjustment to transfers out. Furthermore, the committee failed to correct the \$1,348.30 overstatement in expenditures. Thus, LNC has continued to fail to accurately report the total of its receipts and expenditures and cash on hand at the beginning of the reporting period as required by 2 U.S.C. §§ 434(b)(1), (2) and (4).

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that LNC violated 2 U.S.C. § 434(b) for errors and omissions concerning both receipts and expenditures.

C. Excessive Contributions

According to the auditor's review of LNC's bank records, the committee disbursed \$46,012.56 to the Clark for President Committee (CFP) (see attachment "B") . Those disbursements were made from both the ballot drive account and the headquarter's operating account. LNC failed to report \$31,400 of those disbursements which were included in the discussion of the previous section.

In response to a March 4, 1980, request for additional information to the CFP, on August 29, 1980, CFP refunded \$24,300.00 to LNC which left an unrefunded balance of \$20,712.59 (\$21,712.59 - \$1,000) in apparent excessive contributions. On

May 21, 1982, LNC indicated that the contributions made in excess of the \$24,300 were not direct contributions to CFP. LNC states that the balance of \$21,712.59 was not actually received by CFP but was used to pay expenses incurred in obtaining ballot access in various states from July 7, 1980 to August 8, 1980. LNC does not argue that those disbursements should be considered exempt as ballot access expenditures but argues that since the payments were not made directly to CFP they should have been reported as coordinated expenditures pursuant to 2 U.S.C. § 441a(d).

However, the auditor's review of LNC's bank records showed copies of wire transfer forms which indicated that CFP was the recipient of the \$46,012.56 in contributions. Thus, the wire transfers showing direct payments to CFP from LNC contradicts LNC's assertion that CFP did not receive direct payments from LNC in excess of \$24,300. If all the payments from LNC to CFP are direct as the audit review indicates, then those payments could not be considered expenditures pursuant to 2 U.S.C. § 441a(d). However, it is possible that part of those payments could qualify for the ballot access exemption provisions contained in 2 U.S.C. §§ 431(8)(B)(xiii) and 431(9)(B)(x).

In July, 1982, the Commission considered the parameters of the ballot access exemption. Essentially, the Commission concluded that the exemption be viewed in a limited manner. The exemption is limited in scope to filing fees which are mandated

by "state statute or requires the fee to be paid to a party committee or to a state official." The exemption does not cover alternative methods of ballot access such as costs incurred in a signature petition, however costs such as those incurred in the verification of petition signatures would fall under the exemptions.

In this matter, it appears that \$46,012.56 was paid directly from LNC to CFP which would not qualify as an expenditure pursuant to 2 U.S.C. § 441a(d) and we do not have sufficient information to ascertain whether any of those payments would qualify under the ballot access exemption. Therefore, in order to reconcile contradictions in statements by LNC and the auditor's finding and to further review the payments made by LNC to CFP, in light of the limited ballot access exemption, we recommend that the Commission find reason to believe that LNC violated 2 U.S.C. § 441a by making contributions in excess of \$1,000 and reason to believe that CFP violated 2 U.S.C. § 441a(f) for accepting contributions in excess of the limitations.

D. Prohibited Contributions

LNC received 26 contributions totaling \$3,903.52 from corporate entities (see attachment "C". The auditors identified the name and amount of each corporate entity to committee officials. In response LNC indicated that all receipts from corporate entities were "for the sale of publications of the

rental of name lists in arms length, normal course business transactions." LNC further responded that the corporate funds were received in the sale of literature and ads in the LNC newspaper.

According to the auditor's review, LNC's records did not indicate that service was provided to the corporations in return for the payments. Furthermore, it is not clear whether the receipt of corporate funds should not be considered corporate contributions even if LNC had in fact sold literature, rented mailing lists or provided advertising space in its newspaper. The Commission has considered committee's requests to enter into transactions where funds may be realized in return for items of intrinsic value.

It has been the position of the Commission since 1975 that "(a)s a general matter, a person who transmits money to a political committee or candidate - any portion of which is available to be spent for the purpose of influencing a federal election - has made a contribution in the full amount of the funds so transmitted. The fact that the contributor obtains an item of intrinsic value does not remove the transaction from this definition of contribution." AO 1975-15, AO 1976-22, AO 1978-46 AO 1979-76 and AO 1981-3. However, the Commission has made exceptions to this broad rule in the context of certain specific factual situations. Exceptions to the rule have involved the

sale of committee assets for their fair market value when a committee was going out of business (AO 1979-24) and the sale of an asset developed by a committee in the normal course of its own operations (e.g. a mailing list AO 1979-18). In AO 1978-46 the Commission determined that acceptance of corporate funds for advertisements in a party newsletter was prohibited if material published in that newsletter was related to federal elections. More recently, in AO 1981-3, concerning a party committee, the Commission decided that the payment of costs by corporations for advertisements in the party committee's newspaper, are permissible only to the extent that the funds are used for non-federal purposes. Corporate funds could not be used to defray the costs of the federal portion.

Thus, we recommend that the Commission find reason to believe that LNC received corporate contributions in violation of 2 U.S.C. § 441b in order to further ascertain the circumstances of the receipt of those funds and the expenditure of the corporate funds which were purportedly received for the sale of advertising space, literature and mailing lists.

Libertarian National Committee
Schedule of Unreported Contributions

<u>Name</u>	<u>Date</u>	<u>Amount</u>
Ray Hendrickson	2/17/80	\$ 250.00
Sylvia Olson	2/29/80	208.00
PG Central Committee MD LP	3/3/80	1,600.00
S. A. Long	3/18/80	2,000.00
PG Central Committee Md LP	4/10/80	500.00
Mark F. Doherty	4/10/80	500.00
		500.00
William Mayo	4/14/80	4,950.00
Libertarian CA Convention Committee	4/15/80	2,855.91
PG Central Committee Md LP	5/12/80	125.00
	5/19/80	35.00
S. D. Cooley	6/3/80	500.00
Ed Clark for President Committee	6/5/80	1,500.00
S. Dallas Cooley, MD	6/25/80	150.00
Mrs. G. B. Henderson	7/19/80	1,000.00
David W. Saum	8/3/80	250.00
Ed Clark for President Committee	8/4/80	10,000.00
L. B. Barnes	8/12/80	250.00
George Mason	8/15/80	270.00
Bernard A. Losching	8/18/80	280.00
	8/22/80	280.00
H. B. Shasteen	8/18/80	270.00
Paul Grant	9/3/80	250.00
Bernard A. Losching	9/8/80	300.00
Richard K. Kenney	9/11/80	270.00
PG Central Committee Md LP	9/15/80	250.00
Scott R. Bowden	10/6/80	930.00
Catherine Roland	10/8/80	1,000.00
Thelma Dixon	10/10/80	500.00
Troy G. Stafford	10/10/80	250.00
Bill Blummert	10/17/80	1,000.00
William D. Burt	11/7/80	1,000.00
Mary Lehmann	11/25/80	205.00
Total		<u>\$34,228.91</u>
Unitemized Receipts		<u>\$ 5,541.95</u>

Attachment "A"

Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee City, State</u>	<u>Date</u>	<u>Amount</u>
Clark for President (CFP) Washington, D.C.	7/2/80	\$ 750.00
	7/8/80	250.00
	7/8/80	1,000.00
	7/22/80	250.00
	8/8/80	812.56
	8/8/80	10,000.00
CFP Tallahassee, Florida	7/22/80	250.00
	8/4/80	250.00
CFP Jacksonville, Florida	7/22/80	1,000.00
	7/25/80	1,000.00
	7/30/80	1,000.00
	8/4/80	1,000.00
CFP Gainesville, Florida	7/22/80	300.00
CFP Missouri	7/10/80	1,000.00
	7/15/80	1,000.00
	7/17/80	500.00
	7/17/80	2,000.00
	7/24/80	600.00
	7/25/80	1,000.00
	7/30/80	750.00
	7/30/80	1,500.00
CFP Tampa, Florida	8/4/80	2,000.00
	8/4/80	1,000.00
CFP Indiana	7/16/80	1,000.00
	7/30/80	500.00
CFP Nebraska	7/25/80	1,000.00
CFP Florida	7/3/80	500.00
	7/25/80	1,000.00
CFP Wyoming	7/25/80	300.00

Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee</u> <u>City, State</u>	<u>Date</u>	<u>Amount</u>
CFP Georgia	7/8/80	\$ 2,000.00
	7/9/80	2,000.00
	7/10/80	2,000.00
	7/15/80	2,500.00
	7/16/80	2,000.00
CFP TEXAS	7/3/80	1,000.00
	7/10/80	<u>1,000.00</u>
Total		<u>\$46,012.56</u>

83040141601

Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
General Scientific Corp Gaithersburg, MD	1/17/80	\$ 100.00	4359	4/23/75
Tennessee Tree El Cajon, CA	1/21/80	5.00	5293	4/28/72
Carl Byoir & Associates Inc. New York, NY	1/24/80	3.50	26269	9/24/62
Destway Electronics, Inc. Louisville, CO	2/3/80 10/23/80	20.00 73.62	1218 1477	7/24/69
Ancorp National Service Inc. Kansas City, MO	2/8/80	30.00	75661	5/1/62
Baruth and Associate, Inc. Crystal Lake, IL	3/16/80	20.90	2762	11/25/75
Liberty Audio & Film Service, Inc. Richmond, VA	3/20/80	704.20	2472	5/3/77
The Used Book Place, Inc. Dyer, IN	3/25/80 6/2/80 6/18/80	8.15 33.00 20.00	1862 1891 1901	9/18/78
The General Store Van Nuys, CA	4/8/80	12.00	2112	8/21/79
Sane, Inc. Washington, D.C.	4/28/80	32.50	6679	9/21/67
Cato Institute Kansas	4/3/80 4/7/80 4/17/80 10/14/80 10/30/80	785.00 400.00 100.00 274.05 655.85		12/19/74
Drayton Plains Veterinary Hospital Michigan	5/19/80	20.00	381	8/20/75
Libertarian Review Kansas	5/5/80	550.00		7/12/78

Attachment "C" p1

Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
EGIC, Inc. Reno, Nevada	6/17/80	\$ 10.00	1170	12/30/77
Jackson and Co. (USA) Inc. Houston, TX	9/30/80	5.75		1/22/79
Samuel and Co. Altamonte Springs, FL	10/10/80	10.00	994	8/4/78
Philip T. Reinstein, LTD Chicago, IL	10/11/80	10.00	520	8/27/80
POS Services, Inc. Minneapolis, MN	12/2/80	10.00	13617	10/7/75
Financial Planning Institute Altamonte Springs, FL	12/15/80	<u>10.00</u>	781	1/12/79
	Total	<u>\$3,903.52</u>		



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Ms. Vivian Baures, Treasurer
Libertarian National Committee
National Headquarters
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007

RE: MUR 1446

Dear Ms. Baures:

On , 1982, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. §§ 434(b), 441a and 441b, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis with attachments which formed a basis for the Commission's finding, is attached for your information. The Commission also decided to defer action on your committee's failure to produce contributor information in that after the referral of this matter to the Office of General Counsel you offered a method in which that information could be tested. A member of the Commission's audit division will contact you with regard to auditing the contributor information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desire. See 11 C.F.R. § 111.18(d).

Letter to Vivian Baures
Page 2
MUR 1446

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Victor Sterling, the attorney assigned to this matter, at 523-4175.

Sincerely,

Kelley
12/28/02

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 29, 1982

Jule R. Herbert, Jr.
Treasurer
Ed Clark for President Committee
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007

RE: MUR 1446

Dear Mr. Herbert:

On December 27, 1982, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by accepting contributions from the Libertarian National Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desire. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Letter to Jule R. Herbert, Jr.
Page 2
MUR 1446

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Victor Sterling, the attorney assigned to this matter, at 523-4175.

Sincerely

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

cc: Ed Clark

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1446
STAFF MEMBER & TEL. NO.
Victor Sterling
202 523-4175

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

RESPONDENT: Ed Clark for President Committee

GENERATION OF MATTER

On May 24, 1982, the Commission considered the final audit report of the Liberation National Committee (LNC) and voted to refer the following matter to the Office of General Counsel for compliance action.

SUMMARY OF POSSIBLE VIOLATIONS

LNC bank records indicate that the Committee disbursed \$46,012.56 to the Clark for President Committee. The Clark for President Committee has refunded \$24,300 to LNC leaving an unrefunded balance of \$20,712.56 over the limit.

According to the information compiled by the auditors based on the review of documentation and statements made by LNC officials to the auditors, the following analysis is prepared.

FACTUAL AND LEGAL ANALYSIS

Excessive Contributions

According to the auditor's review of LNC's bank records, the committee disbursed \$46,012.56 to the Clark for President Committee (CFP) (see attachment "A") . Those disbursements were made from both the ballot drive account and the headquarter's operating account. LNC failed to report \$31,400 of those disbursements which were included in the discussion of the previous section.

In response to a March 4, 1980, request for additional information to the CFP, on August 29, 1980, CFP refunded \$24,300.00 to LNC which left an unrefunded balance of \$20,712.59 (\$21,712.59 - \$1,000) in apparent excessive contributions. On May 21, 1982, LNC indicated that the contributions made in excess of the \$24,300 were not direct contributions to CFP. LNC states that the balance of \$21,712.59 was not actually received by CFP but was used to pay expenses incurred in obtaining ballot access in various states from July 7, 1980 to August 8, 1980. LNC does not argue that those disbursements should be considered exempt as ballot access expenditures but argues that since the payments were not made directly to CFP they should have been reported as coordinated expenditures pursuant to 2 U.S.C. § 441a(d). However, the auditor's review of LNC's bank records showed copies of wire transfer forms which indicated that CFP was the recipient of the \$46,012.56 in contributions. Thus, the wire transfers

showing direct payments to CFP from LNC contradicts LNC's assertion that CFP did not receive direct payments from LNC in excess of \$24,300. If all the payments from LNC to CFP are direct as the audit review indicates, then those payments could not be considered expenditures pursuant to 2 U.S.C. § 441a(d). However, it is possible that part of those payments could qualify for the ballot access exemption provisions contained in 2 U.S.C. §§ 431(8)(B)(xiii) and 431(9)(B)(x).

In July, 1982, the Commission considered the parameters of the ballot access exemption. Essentially, the Commission concluded that the exemption be viewed in a limited manner. The exemption is limited in scope to filing fees which are mandated by "state statute or requires the fee to be paid to a party committee or to a state official." The exemption does not cover alternative methods of ballot access such as costs incurred in a signature petition, however costs such as those incurred in the verification of petition signatures would fall under the exemptions.

In this matter, it appears that \$46,012.56 was paid directly from LNC to CFP which would not qualify as an expenditure pursuant to 2 U.S.C. § 441a(d) and we do not have sufficient information to ascertain whether any of those payments would qualify under the ballot access exemption. Therefore, in order to reconcile contradictions in statements by LNC and the auditor's finding and to further review the payments made by LNC to CFP, in light of the limited ballot access exemption, we

recommend that the Commission find reason to believe that CFP violated 2 U.S.C. § 441a(f) for accepting contributions in excess of the limitations.

8304044131

Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee</u> <u>City, State</u>	<u>Date</u>	<u>Amount</u>
Clark for President (CFP)	7/2/80	\$ 750.00
Washington, D.C.	7/3/80	250.00
	7/8/80	1,000.00
	7/22/80	250.00
	8/6/80	612.56
	8/8/80	10,000.00
CFP	7/22/80	250.00
Tallahassee, Florida	8/4/80	250.00
CFP	7/22/80	1,000.00
Jacksonville, Florida	7/23/80	1,000.00
	7/30/80	1,000.00
	8/4/80	1,000.00
CFP	7/22/80	300.00
Gainesville, Florida		
CFP	7/16/80	1,000.00
Missouri	7/18/80	1,000.00
	7/17/80	500.00
	7/17/80	2,000.00
	7/24/80	600.00
	7/25/80	1,000.00
	7/30/80	750.00
	7/30/80	1,500.00
	8/4/80	2,000.00
CFP	8/4/80	1,000.00
Tampa, Florida		
CFP	7/16/80	1,000.00
Indiana	7/30/80	500.00
CFP	7/18/80	1,000.00
Nebraska		
CFP	7/3/80	500.00
Florida	7/15/80	1,000.00
CFP	7/15/80	300.00
Wyoming		

Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee</u> <u>City, State</u>	<u>Date</u>	<u>Amount</u>
CFF Georgia	7/8/80	\$ 2,000.00
	7/9/80	2,000.00
	7/21/80	2,000.00
	7/22/80	2,500.00
	7/23/80	2,000.00
CFF Texas	7/3/80	2,000.00
	7/10/80	2,000.00
Total		<u>\$46,000.00</u>

3304044131



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jule R. Herbert, Jr.
Treasurer
Ed Clark for President Committee
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007

RE: MUR 1446

Dear Mr. Herbert:

On , 1982, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by accepting contributions from the Libertarian National Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desire. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Letter to Jule R. Herbert, Jr.
Page 2
MUR 1446

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Victor Sterling, the attorney assigned to this matter, at 523-4175.

Sincerely

KWS
12/28/82

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

cc: Ed Clark

0304041311



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 28, 1982

MEMORANDUM

TO: Robert J. Costa
Assistant Staff Director

THROUGH: B. Allen Clutter
Staff Director

FROM: Charles N. Steele
General Counsel

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

SUBJECT: MUR 1446

On December 22, 1982, the Commission approved the recommendation of the Office of General Counsel to make no finding at this time with regard to the Libertarian National Committee's (LNC) failure to provide contributor information pursuant to 2 U.S.C. § 434 and to arrange an audit of that information. That recommendation was made in that the audit division indicated that the committee's proffer to audit contributor information would provide an acceptable method for testing the data. Thus, we suggest that the appropriate staff person contact Ms. Vivian Baures and Ms. Honey Lanham in order to arrange for the continuation of the 2 U.S.C. § 438(b) audit.

The letter directed to LNC advises that a member of the Commission's audit division will contact the committee. Furthermore, I have personally advised Ms. Lanham, the individual in charge of the committee in Washington, D.C., that the committee would be contacted. Please let me or Victor Sterling know if you have any questions regarding this matter. Victor Sterling is the attorney assigned to this case.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1446
Libertarian National Committee)
Ed Clark for President Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 27, 1982, the Commission decided by a vote of 6-0 to take the following actions in MUR 1446:

1. Make no finding at this time with regard to LNC's failure to provide contributor information pursuant to 2 U.S.C. § 434 and arrange to audit that information.
2. Find reason to believe that LNC violated 2 U.S.C. § 434(b).
3. Find reason to believe that LNC violated 2 U.S.C. § 441a(a).
4. Find reason to believe that CFP violated 2 U.S.C. § 441a(f).
5. Find reason to believe that LNC violated 2 U.S.C. § 441b.
6. Approve the letters as attached to the First General Counsel's Report.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

12/28/82

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary Of the Commission



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: DECEMBER 27, 1982

SUBJECT: ADDITIONAL WITHDRAWAL OF OBJECTION
TO MUR 1446, First General Counsel's
Report dated December 13, 1982; Received
in OCS, 12-13-82, 4:17

You were previously notified of objections to the
above-captioned matter by Commissioners Aikens and Reiche.

Commissioner Aikens withdrew her objection to the
First General Counsel's Report by memorandum dated
December 22, 1982 and cast an affirmative vote.

By memorandum dated December 27, 1982, Commissioner Reiche
withdrew his objection to this matter and cast an affirmative
vote.

With no remaining objections to the First General Counsel's
Report in MUR 1446, a copy of the certification is attached.

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

02 DEC 27 P 3: 51

TO: COMMISSION SECRETARY
FROM: CHAIRMAN FRANK P. REICHE
DATE: DECEMBER 27, 1982
SUBJECT: MUR 1446

I am withdrawing my objection to the first General Counsel's report in MUR 1446. I wish to be recorded as approving the recommendations contained therein.

Frank P. Reiche

83040411322



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: DECEMBER 23, 1982

SUBJECT: WITHDRAWAL OF OBJECTION TO MUR 1446,
First General Counsel's Report dated
December 13, 1982; Received in OCS,
12-13-82, 4:17

You were previously notified of objections to the
above-captioned matter by Commissioners Aikens and Reiche.

Commissioner Aikens withdrew her objection to the
First General Counsel's Report by memorandum dated
December 22, 1982 and cast an affirmative vote.

Commissioner Reiche's objection remains on the record.
Therefore, this matter will be placed on the Executive
Session Agenda for Tuesday, January 5, 1983.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 22, 1982

MEMORANDUM TO: Ms. Marjorie W. Emmons,
Commission Secretary

THROUGH: B. Allen Clutter, Staff Director

FROM: Joan D. Aikens *JDA*

SUBJECT: Withdrawal of Objections

1446

By this memorandum, I am hereby withdrawing my previously filed objections to MUR 1229 (Florida For Kennedy Committee) dated December 10, 1982; and MUR 1446 (Libertarian National Committee) dated December 16, 1982.

I would, furthermore, request that I be recorded as voting in the affirmative on the two aforementioned Matters Under Review.

JDA:jet

cc: Office of General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ JODY C. RANSOM *JCR*

DATE: DECEMBER 16, 1982

SUBJECT: OBJECTION - MUR 1446 First General Counsel's
Report dated December 13, 1982; Received
in OCS, 12-13-82, 4:17

The above-named document was circulated to the
Commission on December 14, 1982 at 11:00.

Commissioner Reiche submitted an objection at 10:00,
December 16, 1982.

This matter will be placed on the agenda for the
executive session of Tuesday, January 4, 1983.

33040-111622



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/ JODY C. RANSOM *JCR*

DATE: DECEMBER 16, 1982

SUBJECT: ADDITIONAL OBJECTION - MUR 1446, First
General Counsel's Report dated 12-13-82;
Received in OCS, 12-13-82, 4:17

You were notified previously of an objection by Commissioner Reiche.

Commissioner Aikens submitted an additional objection at 11:02, December 16, 1982.

This matter will be discussed in executive session on Tuesday, January 4, 1983.

December 13, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1446

Please have the attached First General Counsel's Report distributed to the Commission on a 48 hour tally basis as Sensitive. Thank you.

Attachment

cc: Gross

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

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FIRST GENERAL COUNSEL'S REPORT 82 DEC 13 P 4: 17

SENSITIVE

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 12-13-82

MUR # 1446
STAFF MEMBERS:
Victor Sterling
Kenneth Gross

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

RESPONDENTS' NAMES: Libertarian National Committee
Ed Clark for President Committee

RELEVANT STATUTES: 2 U.S.C. § 434(b); 2 U.S.C. § 431(8)(B)(xiii)
2 U.S.C. § 441a(a); 2 U.S.C. § 431(9)(B)(x)
2 U.S.C. § 441a(f); 2 U.S.C. § 441b and
2 U.S.C. § 441a(d).

INTERNAL REPORTS CHECKED: Committee reports on public record

FEDERAL AGENCIES CHECKED:

GENERATION OF MATTER

On May 24, 1982, the Commission considered the final audit report of the Libertarian National Committee (LNC) and voted to refer this matter to the Office of General Counsel for compliance action.

SUMMARY OF POSSIBLE VIOLATIONS

The following possible violations were ascertained by auditors:

A) The LNC failed to provide contributor information in that LNC officials denied the audit staff access to the computer which contained the information. LNC officials indicated that if they allowed access to the computer on individual contributions, this access would necessarily include the period

from 1979 through 1981 and since the period of the audit only covered January 1, 1980 through December 31, 1980, the committee denied auditor access.

B) (1) LNC failed to accurately disclose its cash on hand involving \$39,770.86 in receipts and failed to itemize contributions from 33 individuals totaling \$34,228.91. The latter amount is included in the total of \$39,770.86 of unreported receipts.

(2) LNC failed to report 59 expenditures totaling \$73,883.44 which require itemization. Additionally, according to the audit report there was an overstatement of expenditures in the net amount of \$1,348.30.

C) LNC bank records indicate that the Committee disbursed \$46,012.56 to the Clark for President Committee. The Clark for President Committee has refunded \$24,300 to LNC leaving an unrefunded balance of \$20,712.56 over the limit.

D) LNC received 26 contributions totaling \$3,903.52 from apparent corporate entities. An LNC official stated to the auditors that the funds were received from the sale of literature, advertising space in the LNC newspaper and for rental of LNC mailing lists.

According to the information compiled by the auditors based on the review of documentation and statements made by LNC officials to the auditors, the following analysis is prepared.

FACTUAL AND LEGAL ANALYSIS

A. Failure to provide contributor information.

On May 24, 1982, the Commission voted to refer to the Office of General Counsel possible violations of 2 U.S.C. § 434(b) for LNC's failure to make contributor information available to the auditors. Subsequent to the Commission's decision to refer this matter, LNC responded to the auditors and described a method for reviewing source documentation in order to review contributor information. The auditors have reviewed LNC's response and have indicated in a July 6, 1982 memorandum that if LNC were to allow audit staff access to the contributor files as LNC's treasurer describes, a limited receipt test could be performed. Prior to citing the Committee for violations of the Act it is this Office's recommendation that the auditors schedule this field work with the Committee. If this effort to review the documentation proves unsuccessful we will make further recommendations at that time, concerning the failure to produce contributor information as required by 2 U.S.C. § 434(b).

B. Reporting Errors and Omissions

LNC maintains two bank accounts, the headquarters operating account and the ballot drive account. The headquarter's operating account is used for depositing contributions received and disbursing funds for federal activity. The ballot drive account is used for gaining access to the ballot in various

states. Receipts into the ballot drive account were comprised of contributions deposited directly into the account and transfers from the headquarter's operating account. According to a review of LNC's reports, the ballot drive account reported expenditures for purposes such as ballot access and petitions. According to the auditor's review, based on a sampling of bank records and receipts, a majority of the expenditures from the ballot drive account were for the purpose of soliciting petition signatures and for reimbursement of travel expenses.

1. Unreported receipts

LNC failed to report \$39,770.86 in receipts. Of that amount \$14,660.00 was deposited into the ballot drive account and \$25,110.86 was deposited into the headquarter's operating account. Included in the \$39,770.86, the auditors identified to LNC 33 contributions totaling \$34,228.91 which required itemization. In a late response to the interim audit report after the referral of this matter, LNC filed amendments covering calendar year 1980 which disclosed the \$34,228.91 in itemizable contributions, however the contributors' occupation and names of employers were not disclosed (see attachment A to audit report at p.25). In addition, the summary page totals for individual contributions, other receipts and total receipts were incorrect.

2 U.S.C. §§ 434(b)(1), (2) and (4) require that each report include the amount of cash on hand at the beginning of the

reporting period, the total amount of receipts and disbursements for the reporting period and the calendar year. In addition, 2 U.S.C. § 434(b)(3) requires, in part, that the identity of each person making an aggregate contribution in excess of \$200 within a calendar year, shall be disclosed. 2 U.S.C. § 431(13)(A) defines identification as including the occupation and the name of the employer of the contributor. Thus, LNC's failure to file in a timely fashion the itemization of 33 contributions totaling \$34,228.91 and its continued failure to identify the occupation and names of contributors' employers is violative of 2 U.S.C. § 434(b)(3)(A). LNC's failure to correct the summary page totals for individual contributors, other receipts and total receipts is violative of 2 U.S.C. §§ 434(b)(1), (2) and (4).

2. Unreported expenditures

LNC failed to report 59 expenditures totaling \$73,883.44 which require itemization. Of that amount \$62,000 was disbursed from the ballot drive account and \$11,883.44 was disbursed from the headquarter's operating account. In addition, mathematical errors in LNC's reports caused expenditures to be overstated by the net amount of \$1,348.30. The auditors provided LNC with a schedule of the expenditures requiring itemization at the exit conference. In response, LNC filed amendments to their reports attempting to address the failure to itemize expenditures, however a \$13,000 expenditure was reported as a \$1,300

expenditure. In an apparent attempt to reconcile the balances LNC reported the difference of \$11,700 as an adjustment to transfers out. Furthermore, the committee failed to correct the \$1,348.30 overstatement in expenditures. Thus, LNC has continued to fail to accurately report the total of its receipts and expenditures and cash on hand at the beginning of the reporting period as required by 2 U.S.C. §§ 434(b)(1), (2) and (4).

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that LNC violated 2 U.S.C. § 434(b) for errors and omissions concerning both receipts and expenditures.

C. Excessive Contributions

According to the auditor's review of LNC's bank records, the committee disbursed \$46,012.56 to the Clark for President Committee (CFP) (see attachment B to audit report at pp. 26-27). Those disbursements were made from both the ballot drive account and the headquarter's operating account. LNC failed to report \$31,400 of those disbursements which were included in the discussion of the previous section.

In response to a March 4, 1980, request for additional information to the CFP, on August 29, 1980, CFP refunded \$24,300.00 to LNC which left an unrefunded balance of \$20,712.59 (\$21,712.59 - \$1,000) in apparent excessive contributions. On

May 21, 1982, LNC indicated that the contributions made in excess of the \$24,300 were not direct contributions to CFP. LNC states that the balance of \$21,712.59 was not actually received by CFP but was used to pay expenses incurred in obtaining ballot access in various states from July 7, 1980 to August 8, 1980. LNC does not argue that those disbursements should be considered exempt as ballot access expenditures but argues that since the payments were not made directly to CFP they should have been reported as coordinated expenditures pursuant to 2 U.S.C. § 441a(d).

However, the auditor's review of LNC's bank records showed copies of wire transfer forms which indicated that CFP was the recipient of the \$46,012.56 in contributions. Thus, the wire transfers showing direct payments to CFP from LNC contradicts LNC's assertion that CFP did not receive direct payments from LNC in excess of \$24,300. If all the payments from LNC to CFP are direct as the audit review indicates, then those payments could not be considered expenditures pursuant to 2 U.S.C. § 441a(d). However, it is possible that part of those payments could qualify for the ballot access exemption provisions contained in 2 U.S.C. §§ 431(8)(B)(xiii) and 431(9)(B)(x).

In July, 1982, the Commission considered the parameters of the ballot access exemption. Essentially, the Commission concluded that the exemption be viewed in a limited manner. The exemption is limited in scope to filing fees which are mandated

by "state statute or requires the fee to be paid to a party committee or to a state official." The exemption does not cover alternative methods of ballot access such as costs incurred in a signature petition, however costs such as those incurred in the verification of petition signatures would fall under the exemptions.

In this matter, it appears that \$46,012.56 was paid directly from LNC to CFP which would not qualify as an expenditure pursuant to 2 U.S.C. § 441a(d) and we do not have sufficient information to ascertain whether any of those payments would qualify under the ballot access exemption. Therefore, in order to reconcile contradictions in statements by LNC and the auditor's finding and to further review the payments made by LNC to CFP, in light of the limited ballot access exemption, we recommend that the Commission find reason to believe that LNC violated 2 U.S.C. § 441a by making contributions in excess of \$1,000 and reason to believe that CFP violated 2 U.S.C. § 441a(f) for accepting contributions in excess of the limitations.

D. Prohibited Contributions

LNC received 26 contributions totaling \$3,903.52 from corporate entities (see attachment C to audit report at pp. 28-29). The auditors identified the name and amount of each corporate entity to committee officials. In response LNC indicated that all receipts from corporate entities were "for the

sale of publications of the rental of name lists in arms length, normal course business transactions." LNC further responded that the corporate funds were received in the sale of literature and ads in the LNC newspaper.

According to the auditor's review, LNC's records did not indicate that service was provided to the corporations in return for the payments. Furthermore, it is not clear whether the receipt of corporate funds should not be considered corporate contributions even if LNC had in fact sold literature, rented mailing lists or provided advertising space in its newspaper. The Commission has considered committee's requests to enter into transactions where funds may be realized in return for items of intrinsic value.

It has been the position of the Commission since 1975 that "(a)s a general matter, a person who transmits money to a political committee or candidate - any portion of which is available to be spent for the purpose of influencing a federal election - has made a contribution in the full amount of the funds so transmitted. The fact that the contributor obtains an item of intrinsic value does not remove the transaction from this definition of contribution." AO 1975-15, AO 1976-22, AO 1978-46 AO 1979-76 and AO 1981-3. However, the Commission has made exceptions to this broad rule in the context of certain specific factual situations. Exceptions to the rule have involved the

sale of committee assets for their fair market value when a committee was going out of business (AO 1979-24) and the sale of an asset developed by a committee in the normal course of its own operations (e.g. a mailing list AO 1979-18). In AO 1978-46 the Commission determined that acceptance of corporate funds for advertisements in a party newsletter was prohibited if material published in that newsletter was related to federal elections. More recently, in AO 1981-3, concerning a party committee, the Commission decided that the payment of costs by corporations for advertisements in the party committee's newspaper, are permissible only to the extent that the funds are used for non-federal purposes. Corporate funds could not be used to defray the costs of the federal portion.

Thus, we recommend that the Commission find reason to believe that LNC received corporate contributions in violation of 2 U.S.C. § 441b in order to further ascertain the circumstances of the receipt of those funds and the expenditure of the corporate funds which were purportedly received for the sale of advertising space, literature and mailing lists.

RECOMMENDATIONS

1. Make no finding at this time with regard to LNC's failure to provide contributor information pursuant to 2 U.S.C. § 434 and arrange to audit that information.
2. Find reason to believe that LNC violated 2 U.S.C. § 434(b).

3. Find reason to believe that LNC violated 2 U.S.C.
§ 441a(a).

4. Find reason to believe that CFP violated 2 U.S.C.
§ 441a(f).

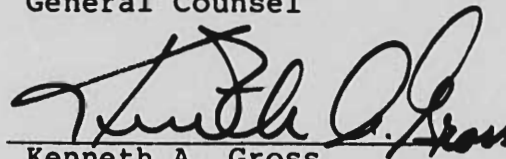
5. Find reason to believe that LNC violated 2 U.S.C.
§ 441b.

6. Approve attached letters.

Charles N. Steele
General Counsel

December 13, 1982
Date

BY:


Kenneth A. Gross
Associate General Counsel

Attachments

- I. Audit Referral
- II. Letter to Vivian Baures with General Counsel's Factual and Legal Analysis
- III. Letter to Jule R. Herbert, Jr. with General Counsel's Factual Legal Analysis

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 6, 1982

MEMORANDUM

TO: CHARLES STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *BAC*
STAFF DIRECTOR

FROM: BOB COSTA *RC*

SUBJECT: LIBERTARIAN NATIONAL COMMITTEE RESPONSE TO
INTERIM AUDIT REPORT

On May 24, 1982, the Commission approved for referral to your office, the findings contained in the final audit report on the Libertarian National Committee (the Committee) due to the Committee's failure to respond to the recommendations contained in the audit report. Subsequent to that date a response was received from the Committee (Attachment 1). The Audit Division has reviewed the response and makes the following comments relating thereto.

FINDING 11 A - ACCESS TO COMMITTEE RECORDS

Based on the Committee's response to this finding, it appears that the Committee officials have agreed to a limited review of the computer data base on individual contributions. Due to the condition of the contributor source documents which were reviewed during fieldwork, the Audit staff had proposed just such a review; however, at that time Committee officials had refused all access to their computer files. If the Committee were to allow the Audit staff access to the contributor files as described in the response, a limited receipts test could be performed.

Attachment I

FINDING 11 B - REPORTING ERRORS AND OMISSIONS

1) Unreported Receipts

The Committee included in its reponse an amended report covering 1980 which disclosed the \$34,228.91 in itemizable contributions, however, the contributors and names of employers were not disclosed. In addition the summary page totals for individual contributions, other receipts, and total receipts were incorrect.

2) Unreported Expenditures

The Committee amended its 1980 expenditure total to disclose the unreported expenditures, however, a \$13,000 expenditure was reported as \$1,300 and the difference (\$11,700) was reported as an adjustment to transfers out. The Committee's amended report did not correct the \$1,348.30 overstatement in expenditures noted in Section b of the recommendation.

3) Excessive Contributions

In the response the Committee states that all amounts included on the list of excessive contributions except for \$24,300 were not received by the Clark For President Committee but were used directly for expenses incurred in obtaining ballot status in various states. This statement is contradicted by the Committee's bank records which include copies of wire transfer forms that indicate the recipient of the funds as Clark For President Committee accounts in various states.

4) Prohibited Contributions

In its response, the Committee states that all receipts from corporations noted in the audit report were "for the sale of publications of the rental of name lists in arms length, normal course of business transactions."

There were no indication in the Committee's records that any service was provided to these corporations, nor has the Committee provided any evidence to support their statement. Regardless of whether a service was provided or not, the Commission, in similar cases has held that the contributions would have to be refunded to the corporations.

If you have any questions concerning the matters noted above, please contact Ray Lisi at 3-4155.



Libertarian Party

National Headquarters
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007
(202) 333-8209

Alicia Garcia Clark
Chairwoman
Sheldon Richman
Vice Chairman
Frances Eddy
Secretary
Vivian Baures
Treasurer
Eric O'Keefe
National Director

May 21, 1982

Robert J. Costa
Assistant Staff Director
for the Audit Division
Federal Election Commission
Washington, D.C. 20463

Mr. Costa,

First, I would like to thank you for allowing extra time for me to prepare a response to your letter of February 24, 1982 about your interim report of the 1980 Audit of the Libertarian National Committee.

As you know, my term as Treasurer of the LNC began in August, 1981 and I am not, therefore, completely familiar with all that transpired during 1980. I have, however, reviewed a substantial amount of the record as well as interviewed the principles involved during that time period. As a result, I feel quite confident that the substantive provisions of the Federal Election Campaign Act of 1971 have been complied with even though there have been some errors in reporting our activities to you. I am therefore enclosing an amended December 31, 1980 report detailed summary page to reflect the correction of these errors.

Discussion of your specific findings and recommendations follow:

A. Access to Committee Records

Section 102.9(a) requires that our accounts be kept "by any reasonable accounting procedure". I believe the procedures we follow are quite reasonable and do provide us with the information necessary to develop the specific information you require.

While it is true that our computerized records do not segregate 1980's records from other year's records, the date of each transaction is maintained with the record so that if you requested information of a specific nature (such as a record of all the 1980 contributions of contributor X) we could provide this for you. However, if you wish to review records over a broad scope and in a general way, I recommend you review the

Robert J. Costa
May 21, 1982
Page 2

actual source documents (including copies of checks and deposit slips) which have been filed by date of receipt. It is my understanding that these detailed records have been made available to you previously.

To further explain the position we have taken on this issue in the past, I have asked S. Dallas Cooley, the previous Treasurer, to respond to this item. He states:

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"Paragraph C. Scope contains an erroneous statement. In that paragraph there is a sentence which reads "Due to the Committee's failure to provide the required information pertaining to individual contributions, the Audit staff was precluded from conducting tests of the Committee's compliance with the Act's recordkeeping, disclosure and individual contribution limitation requirements.". The Committee did, in fact, offer to provide the information that would have allowed the Audit staff to test compliance, etc. The Audit staff refused to avail itself of the materials we have been continuously willing to provide. The Audit staff admitted this in a letter to me dated August 13, 1981. This present Interim Report again verifies that the Committee does, in fact, have records, in the form of source documents. The Audit staff has never proven a single case of failure to report donors to the Commission as required by the laws that are partially quoted on page 2, section II.A. The Interim Report states that our method of maintaining the contributor records precluded the Audit staff from verifying that the Committee had met the disclosure and recordkeeping requirements of the Act. Why were they precluded? Only because, and I quote from the August 13, 1981 letter, it would be "costly, time consuming, and could be unnecessarily disruptive to the day to day operations of the Committee". We were willing to risk the possible disruption of our day to day operations. The law does not state that we must keep records in such a way that verification of compliance will entail a limited expenditure of money or a limited amount of time.

I reiterate the position which I and other members of the Committee involved in this audit have taken from the onset. The contributor records in the form of the response documents are available to you. The law does not require us to keep computer records. We keep computer records for our convenience and our computer records are designed to facilitate the operations of the Committee. Therefore our computer records contain

(4)

(4)

Robert J. Costa
May 21, 1982
Page 3

information which is of benefit to the Committee and they contain information which the Commission is not entitled by law to have. We intend to protect our right to privacy regarding our computer records as long as those records contain such information."

B. Reporting Errors and Omissions

I appreciate your tabulations of specific unreported receipts and expenditures. These errors and omissions were due to human error and have been incorporated into the enclosed amended report.

C. Excessive Contributions

I have reviewed your list of "excessive contributions" and find that, except for the \$24,300 which was refunded to the LNC by the Clark for President Committee, these amounts were not actually received by the Clark for President Committee but rather used directly for expenses incurred in obtaining ballot status in various states during the 37 day period from July 7, 1980 to August 8, 1980. These items should have been reported as coordinated expenditures which is what they actually were.

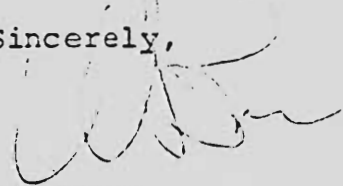
D. Prohibited Contributions

I have reviewed your list of "prohibited contributions" and find that these items were receipts for the sale of publications of the rental of name lists in arms length, normal course of doing business transactions. In no sense were these receipts contributions made "for the purpose of influencing any election".

In some cases these items have not been correctly listed on line 17 of the detailed summary page. The 12/31/80 report has been amended to reflect these changes.

If you have any further questions or comments, please direct them to my Oregon address in order to expedite a response.

Sincerely,


Vivian Baures, Treasurer
2351 China Gulch Road
Ruch, Oregon 97530
503/899-8250

Enclosures

(6)

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

1. Name of Committee (in Full) Libertarian National Committee Address (Number and Street) 2300 Wisconsin Ave City, State and ZIP Code Washington, D.C. 20007 ☐ Check if address is different than previously reported.	4. TYPE OF REPORT (check appropriate boxes) (a) ☐ April 15 Quarterly Report ☐ July 15 Quarterly Report ☐ October 15 Quarterly Report ☒ January 31 Year End Report AMENDED ☐ July 31 Mid Year Report (Non-election Year Only) ☐ Monthly Report for _____ ☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ ☐ Thirtieth day report following the General Election on _____ in the State of _____ ☐ Termination Report (b) Is this Report an Amendment? ☒ YES ☐ NO
2. FEC Identification Number	
3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)	

SUMMARY	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period _____ Through <u>12/31/80</u>		
6. (a) Cash on Hand January 1, 19_____		\$ 42,111.06
(b) Cash on Hand at Beginning of Reporting Period	\$	
(c) Total Receipts (from Line 18)	\$	\$ 565,293.21
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)	\$	\$ 607,404.32
7. Total Disbursements (from Line 28)	\$	\$ 603,810.60
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))	\$	\$ 3,593.72
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$	

I certify that I have examined this Report and to the best of my knowledge and belief
it is true, correct and complete.

Vivian Baures

Type or Print Name of Treasurer

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

5/21/82

SIGNATURE OF TREASURER

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

(6)

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

(7)

Name of Committee (in Full) Libertarian National Committee		Report Covering the Period: From: To: 12/31/80	
	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			404,452.52
(Memo Entry Unitemized \$ _____)			
(b) Political Party Committees			4,417.92
(c) Other Political Committees			408,870.44
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)			11,920.31
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			81,000.00
13. ALL LOANS RECEIVED			6,503.44
14. LOAN REPAYMENTS RECEIVED			2,535.57
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			47,463.82
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			6,999.68
17. OTHER RECEIPTS (Dividends, Interest, etc.)			565,293.26
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17).			
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES			383,578.84
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			15,136.18
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			18,912.56
22. INDEPENDENT EXPENDITURES (Use Schedule E)			
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)			161,704.00
24. LOAN REPAYMENTS MADE			10,000.00
25. LOANS MADE			
26. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			978.24
(b) Political Party Committees			1,149.00
(c) Other Political Committees			2,127.24
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)			12,351.78
27. OTHER DISBURSEMENTS			603,810.60
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27).			
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d			
30. TOTAL CONTRIBUTION REFUNDS from Line 26d			
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)			
32. TOTAL OPERATING EXPENDITURES from Line 19			
33. OFFSETS TO OPERATING EXPENDITURES from Line 15			
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)			

(7)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code

Ray Hendrickson ✓

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

2/17/80 ~ 250.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

B. Full Name, Mailing Address and ZIP Code

Sylvia Olsom

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

2/29/80 208.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

C. Full Name, Mailing Address and ZIP Code

S.A. Long

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

3/18/80 2000.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

D. Full Name, Mailing Address and ZIP Code

Mark F. Doherty

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

4/10/80 500.00
500.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

E. Full Name, Mailing Address and ZIP Code

William Mayo

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

4/14/80 4950.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

F. Full Name, Mailing Address and ZIP Code

S.D. Cooley

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

6/3/80 500.00
6/25/80 150.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

G. Full Name, Mailing Address and ZIP Code

Mrs. G.B. Henderson

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt This Period

7/19/80 1000.00

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date—S

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code David W. Saum Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 8/3/80	Amount of Each Receipt this Period 250.00
B. Full Name, Mailing Address and ZIP Code L.B. Barnes Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 8/12/80	Amount of Each Receipt This Period 250.00
C. Full Name, Mailing Address and ZIP Code Geroge Mason Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 8/15/80	Amount of Each Receipt This Period 270.00
D. Full Name, Mailing Address and ZIP Code Bernard A. Losching Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 8/18/80 8/22/80 9/8/80	Amount of Each Receipt This Period 280.00 280.00 300.00
E. Full Name, Mailing Address and ZIP Code H.B. Shasteen Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 8/18/80	Amount of Each Receipt This Period 270.00
F. Full Name, Mailing Address and ZIP Code Paul Grant Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 9/3/80	Amount of Each Receipt This Period 250.00
G. Full Name, Mailing Address and ZIP Code Richard K. Kenney Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—S	Date (month, day, year) 9/11/80	Amount of Each Receipt This Period 270.00
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			

10

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Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Scott R. Bowden Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 10/6/80	Amount of Each Receipt This Period 930.00
B. Full Name, Mailing Address and ZIP Code Catherine Roland Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 10/6/80	Amount of Each Receipt This Period 1000.00
C. Full Name, Mailing Address and ZIP Code Thelma Dixon Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 10/10/80	Amount of Each Receipt This Period 500.00
D. Full Name, Mailing Address and ZIP Code Troy G. Stafford Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 10/10/80	Amount of Each Receipt This Period 250.00
E. Full Name, Mailing Address and ZIP Code Bill Blummert Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 10/17/80	Amount of Each Receipt This Period 1000.00
F. Full Name, Mailing Address and ZIP Code Wm. D. Burt Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 11/7/80	Amount of Each Receipt This Period 1000.00
G. Full Name, Mailing Address and ZIP Code Mary Lehmann Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 11/25/80	Amount of Each Receipt This Period 205.00
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			17,363.00

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SCHEDULE A

ITEMIZED RECEIPTS

LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code <u>PF Central Committee MD LP</u>	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		<u>3/3/80</u>	<u>1600.00</u>
		<u>4/10/80</u>	<u>500.00</u>
	Occupation	<u>5/12/80</u>	<u>125.00</u>
		<u>5/19/80</u>	<u>35.00</u>
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	<u>9/15/80</u> <u>250.00</u>

B. Full Name, Mailing Address and ZIP Code <u>Libertarian CA Conv. Comm.</u>	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		<u>4/15/80</u>	<u>2855.91</u>
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	

C. Full Name, Mailing Address and ZIP Code <u>Ed Clark for President Comm.</u>	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		<u>6/5/80</u>	<u>1500.00</u>
		<u>8/4/80</u>	<u>10000.00</u>
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Aggregate Year-to-Date-S	

SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			<u>16,865.91</u>

(11)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 2 for
 LINE NUMBER 19
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

(12)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
LP of CA Conv. Comm.	booth rental Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	1/30/80	150.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Selec Temp	temporary help Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	2/7/80	638.40
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Mark Doherty	petitions Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	3/22/80	364.75
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
1980 CA State Comm.	dinner ticket Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	3/14/80	25.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
CFP	MCI reimbursment Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	3/26/80	312.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
RMRS	postage meter Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	4/3/80	400.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Wn. W. Kendricks Co.	bumper stickers Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	4/8/80	221.61
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Insta-Print	printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	4/9/80	674.22
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Circle Graphics	printings Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	5/23/80	1023.75
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			

(12)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 2 of 2 for
 LINE NUMBER 19
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

(13)

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Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dave Bergland	reimbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	6/27/80	250.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Data General	computer Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	8/14/80	420.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
DCDOL	taxes Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	8/29/80	472.40
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Leslie Key	reimbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	9/5/80 9/26/80	275.00 250.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Fraceis Eddy	payroll Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	9/26/80	60.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
DC Treasurer	taxes Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/6/80	1512.18
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Southern Office Supplies	supplies Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	10/7/80	84.13
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Dave Bergland	reimbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	4/2/80	4750.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			11,883.44

(13)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 or 2
 LINE NUMBER 21
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

14

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Fuerle for Atty General Penn.	Purpose of Disbursement contribution Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 8/11/80	Amount of Each Disbursement This Period 2000.00
B. Full Name, Mailing Address and ZIP Code Jacklyn Lambka	Purpose of Disbursement contribution Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 8/1/80	Amount of Each Disbursement This Period 1300.00
C. Full Name, Mailing Address and ZIP Code Kathrlyn J Jacobs	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 7/30/80	Amount of Each Disbursement This Period 1000.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			4300.00

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SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 23
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

(15)

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Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Clark for President	Ballot Access	7/24/80	600.00
	Disbursement for: ☐ Primary ☐ General	8/4/80	250.00
	☐ Other (specify):	8/4/80	1000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	8/4/80	1000.00
		8/4/80	2000.00
	Disbursement for: ☐ Primary ☐ General	7/30/80	500.00
		7/30/80	1000.00
	☐ Other (specify):	7/30/80	750.00
	C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/25/80
		7/25/80	1000.00
Disbursement for: ☐ Primary ☐ General		7/25/80	1000.00
		7/25/80	300.00
	☐ Other (specify):	7/25/80	300.00
	D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/17/80
		7/17/80	2000.00
Disbursement for: ☐ Primary ☐ General		7/16/80	2000.00
		7/16/80	1000.00
	☐ Other (specify):	7/17/80	500.00
	E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/15/80
		7/15/80	1000.00
Disbursement for: ☐ Primary ☐ General		7/10/80	2000.00
		7/10/80	1000.00
	☐ Other (specify):	7/3/80	1000.00
	F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/10/80
		7/9/80	2000.00
Disbursement for: ☐ Primary ☐ General		7/8/80	2000.00
		7/3/80	500.00
	☐ Other (specify):	7/3/80	1000.00
	G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/25/80
		7/25/80	1000.00
Disbursement for: ☐ Primary ☐ General		7/10/80	1000.00
		7/25/80	2000.00
	☐ Other (specify):	7/21/80	1000.00
	H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/16/80
		7/10/80	1000.00
Disbursement for: ☐ Primary ☐ General		7/10/80	2000.00
		7/3/80	2000.00
	☐ Other (specify):	7/25/80	600.00
	I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/22/80
Disbursement for: ☐ Primary ☐ General			
	☐ Other (specify):		
	SUBTOTAL of Disbursements This Page (optional)		
	TOTAL This Period (last page this line number only)		57,700.00

(15)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 25, 1972

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *AK*
STAFF DIRECTOR

FROM: BOB COSTA *RC*

SUBJECT: AUDIT REFERRALS - LIBERTARIAN NATIONAL
COMMITTEE (A81-11) AND CITIZENS' ADVOCATE
POLITICAL ACTION COMMITTEE (A81-31)

As requested by your office, attached are copies of final audit reports and Commission approved memoranda referring matters noted during audits of the above named committees to your office for compliance action.

If you have any questions concerning these matters, please contact Ray Lisi or Lorenzo David at extension 3-4155.

Attachments as stated



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

A81-11

May 19, 1982

MEMORANDUM

TO: THE COMMISSIONERS

THROUGH: B. ALLEN CLUTTER
STAFF DIRECTOR

FROM: BOB COSTA *RJC*

SUBJECT: FINAL AUDIT REPORT -
LIBERTARIAN NATIONAL COMMITTEE

Attached is the final audit report of the Libertarian National Committee (the Committee). Also attached as Exhibit 1 are Findings A through D which are being referred to the Office of General Counsel due to the Committee's failure to respond to the Audit staff's recommendations contained in the interim audit report.

On March 23, 1982, the Commission approved the Committee's request for an extension to the interim audit report response period from March 27, 1982, to May 1, 1982. In a telephone conversation on May 6, 1982, the Committee treasurer stated that the response would be mailed within a few days, however to date no response has been received. Audit staff have been unable to contact the treasurer at her home in Oregon since the initial phone conversation. A message was left at Committee headquarters on May 12, 1982, asking her to contact the Audit Division.

Since the Committee has had in excess of two (2) months to prepare the response and no response appears forthcoming, the Audit Division recommends that these matters be referred to the Office of General Counsel for compliance action.

The audit report is being circulated to the Commission for a tally vote. Upon notice of Commission approval the report will be held for public release pending notification of the Committee's receipt of its informational copy. If you have any questions concerning this matter, please contact Ray Lisi at extension 3-4155.

Attachments as stated



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

A81-11

REPORT OF THE AUDIT DIVISION
ON THE
LIBERTARIAN NATIONAL COMMITTEE

I. Background

A. Overview

This report is based on an audit of the Libertarian National Committee ("the Committee") undertaken by the Audit Division of the Federal Election Commission in accordance with the Commission's audit policy to determine whether there has been compliance with the provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The audit was conducted pursuant to Section 438(b) of Title 2 of the United States Code which states that the Commission may, upon the affirmative vote of four of its members, conduct an audit of any committee which does not meet the threshold requirements for substantial compliance established by the Commission.

The Committee registered with the Federal Election Commission on December 4, 1975 as the Libertarian Party. On November 5, 1980, the Committee changed its name to the Libertarian National Committee. The Committee maintains its headquarters in Washington, D.C.

The audit covered the period January 1 through December 31, 1980. During the period, the Committee reported a cash balance at January 1, 1980 of \$42,111.06, total receipts for the period of \$581,830.37, total expenditures for the period \$565,640.50, and a cash balance on December 31, 1980 of \$5,310.80. 1/

This audit report is based on documents and working papers which support each of the factual statements. They form part of the record upon which the Commission based its decisions on the matters in the report and were available to the Commissioners and appropriate staff for review.

1/ The ending cash figure was misstated due to the Committee reporting errors discussed in Finding II.B.

B. Key Personnel

The Treasurer of the Committee was Paul S. Allen through November 5, 1980 and S. Dallas Cooley from November 5 through the end of the audit period.

C. Scope

The audit included such tests as verification of reported receipts and expenditures and individual expenditure transactions; review of required supporting documentation; analysis of Committee debts and obligations; and such other audit procedures as deemed necessary under the circumstances. Due to the Committee's failure to provide the required information pertaining to individual contributions, the Audit staff was precluded from conducting tests of the Committee's compliance with the Act's recordkeeping, disclosure, and individual contribution limitation requirements.

II. Audit Findings and Recommendations

Matters noted during the audit have been referred to the Commission's Office of General Counsel.



Exhibit 1

II. Audit Findings and Recommendations

A. Access to Committee Records

Section 432(c) of Title 2 of the United States Code states, in part, that the treasurer of a political committee shall keep an account of (1) all contributions received by or on behalf of such political committee; (2) the name and address of any person who makes any contributions in excess of \$50, together with the date and amount of such contribution by any person; (3) the identification of any person who makes a contribution or contributions aggregating more than \$200 during a calendar year, together with the date and amount of any such contribution.

Section 102.9(a)(1) and (2) of Title 11 of the Code of Federal Regulations requires the treasurer of a political committee or an agent authorized by the treasurer to receive contributions and make expenditures to keep an account, by any reasonable accounting procedure, of all contributions received by or on behalf of the political committee. For contributions in excess of \$50, such account shall include the name and address of the contributor and the date of receipt and amount of such contribution. For contributions from any person whose contributions aggregate more than \$200 during a calendar year, such account shall include the identification of the person, and the date of receipt and amount of such contribution.

The receipts records maintained by the Committee for individual contributions consisted of daily deposit batches (copies of deposit tickets with copies of contributor checks attached) and response documents which accompanied the contributions received. These documents were used as the source for computer data entry. Committee officials stated that they were unable to provide a computer print-out of individual contributions for the audit period. The daily deposit batches were filed in chronological order by deposit dates. The contributor checks comprising each batch were filed in random order and neither the number of checks or the amounts of the checks in each batch were uniform. The source documents were boxed in random order with other source documents for several years not included in the audit period.

This method of maintaining the contributor records precluded the Audit staff from verifying that the Committee had met the disclosure and recordkeeping requirements of the Act or that the Committee's system was adequate to allow for proper disclosure and recordkeeping.

Information for individual contributors during the audit period could be retrieved from the Committee's computer; however, Committee officials denied the Audit staff access to the computer because by doing so, the auditors would also have access to 1979 and 1981 receipts records, which are outside the audit period.

In a letter dated August 13, 1981, the Audit Division made a formal written request for access to the computer terminal. As of the close of fieldwork, the Committee had not responded to this request.

Recommendation

The Audit staff recommends that within 30 days of receipt of this report, the Committee provide the Audit staff access to its computer data and any other records pertaining to receipts for the period audited.

B. Reporting Errors and Omissions

Section 434(b)(1)(2) and (4) of Title 2 of the United States Code states that each report shall disclose the amount of cash on hand at the beginning of the reporting period; and for the reporting period and the calendar year, the total amount of all receipts and disbursements.

Section 434(b)(3) of Title 2 of the United States Code states, in part, that each report shall disclose the identification of each person who makes a contribution(s) to the committee in an aggregate amount or value in excess of \$200 within the calendar year, together with the date and amount of any such contribution.

The Committee maintained two (2) bank accounts. One account was the headquarters operating account used for depositing contributions received and disbursing funds for Federal activity. The second account was the Ballot Drive account from which disbursements were made for the purpose of gaining access to the ballot in various states. Receipts into the ballot drive account were comprised of contributions deposited directly into the account and transfers from the headquarters account. The majority of the expenditures from the ballot drive account were for the purpose of soliciting petition signatures and reimbursement of travel expenses.

A review of the Committee's records maintained for these accounts indicated the following reporting discrepancies:

(1) Unreported Receipts

The Committee failed to report \$39,770.86 in receipts. This amount represents approximately 7% of total receipts. Of this amount \$14,660.00 was deposited into the ballot drive account and the remaining \$25,110.86 was deposited into the headquarters account. Included in the \$39,770.86 are 33 contributions totaling \$34,228.91 that required itemization (see Attachment A).

A Committee official stated that she was aware that the reports contained errors, however, she could not explain all the discrepancies.

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee:

- a. amend its reports to itemize the 33 contributions totaling \$34,228.91; and
- b. amend its reports to disclose the \$5,541.95 in unitemized receipts.

(2) Unreported Expenditures

The Committee failed to report 59 expenditures totaling \$73,883.44, all of which required itemization on the Committee's disclosure reports. This amount represents 12.23% of total expenditures. Of this amount \$62,000.00 was disbursed from the ballot drive account and the remaining \$11,883.44 was disbursed from the headquarters account. In addition, math errors on the Committee's reports caused expenditures to be overstated by a net amount of \$1,348.30.

Committee officials were provided with a schedule of the expenditures requiring itemization at the close of the fieldwork.

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee:

a. amend its reports to itemize the 59 expenditures totaling \$73,883.44; and

b. amend its report to correct the \$1,348.30 overstatement due to math errors on the Committee reports.

c. Excessive Contributions

Section 441a(a)(1)(A) of Title 2 of the United States Code states that, no person shall make contributions to any candidate and his authorized political committee with respect to any election for Federal office, which in the aggregate, exceed \$1,000.

Section 431(11) of Title 2 of the United States Code states that the term "person" includes an individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

The Committee's bank records contained evidence (cancelled checks and debit memos) that the Committee disbursed \$46,012.56 to Clark for President Committee accounts (see Attachment B). These disbursements were made from both the headquarters account and the ballot drive account. Only \$14,612.56 of this amount was reported by the Committee. 2/

On March 4, 1980, the Commission's Reports Analysis Division informed the Clark for President Committee that it had reported receiving contributions in excess of its allowable limit. On August 29, 1980, the Clark for President Committee refunded \$24,300.00 to the Committee.

2/ These unreported items are included in Finding II.B.(2).

At the close of fieldwork, the Committee had exceeded its contribution limit by \$20,712.56 (\$46,012.56 - \$24,300.00 (refund) - \$1,000.00 (contribution limit)).

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee seek a refund of \$20,712.56 from the Clark for President Committee and provide evidence of receipt of the refund (copy of both sides of the refund check) to the Audit staff.

D. Prohibited Contributions

Section 441b(a) of Title 2 of the United States Code states, in part, that it is unlawful for any national bank or any corporation organized by authority of any law of Congress to make a contribution or expenditure in connection with any election to any political office.

In addition, Section 441^b(b)(2) of Title 2 of United States Code states, in part, for purposes of this section the term "contribution or expenditure" shall include any direct or indirect payment, distribution, loan, advance, deposit or gift of money or any services, or anything of value (except loans made by banks in the ordinary course of business) to any candidate, campaign committee or political party or organization.

The Committee received 26 contributions totaling \$3,903.52 from corporate entities (see Attachment C).

A Committee official stated these funds were received from the sale of literature, ads in the Committee newspaper, and rental of Committee mailing lists. She further stated that a Commission employee informed her that as long as the corporation was charged the fair market value, the receipt of the funds was not a violation. 3/

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee refund the prohibited contributions and submit copies of the cancelled checks (front and back) or present evidence that the contributions were not funded from prohibited sources.

3/ The Committee official could not provide the name of the Commission employee who gave her the information.

Libertarian National Committee
Schedule of Unreported Contributions

<u>Name</u>	<u>Date</u>	<u>Amount</u>
Ray Hendrickson	2/17/80	\$ 250.00
Sylvia Olson	2/29/80	208.00
PG Central Committee MD LP	3/3/80	1,600.00
S. A. Long	3/18/80	2,000.00
PG Central Committee Md LP	4/10/80	500.00
Mark F. Doherty	4/10/80	500.00
		500.00
William Mayo	4/14/80	4,950.00
Libertarian CA Convention Committee	4/15/80	2,855.91
PG Central Committee Md LP	5/12/80	125.00
	5/19/80	35.00
	6/3/80	500.00
- S. D. Cooley	6/5/80	1,500.00
- Ed Clark for President Committee	6/25/80	150.00
- S. Dallas Cooley, MD	7/19/80	1,000.00
- Mrs. G. B. Henderson	8/3/80	250.00
- David W. Saum	8/4/80	10,000.00
- Ed Clark for President Committee	8/12/80	250.00
- L. B. Barnes	8/15/80	270.00
- George Mason	8/18/80	280.00
- Bernard A. Losching	8/22/80	280.00
	8/18/80	270.00
○ H. B. Shasteen	9/3/80	250.00
✓ Paul Grant	9/8/80	300.00
Bernard A. Losching	9/11/80	270.00
○ Richard K. Kenney	9/15/80	250.00
PG Central Committee Md LP	10/6/80	930.00
○ Scott R. Bowden	10/8/80	1,000.00
○ Catherine Roland	10/10/80	500.00
Thelma Dixon	10/10/80	250.00
Troy G. Stafford	10/17/80	1,000.00
Bill Blummert	11/7/80	1,000.00
William D. Burt	11/25/80	205.00
Mary Lehmann		
Total		<u>\$34,228.91</u>
Unitemized Receipts		<u>\$ 5,541.95</u>

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Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

Committee City, State	Date	Amount
Clark for President (CFP) Washington, D.C.	7/2/80	\$ 750.00
	7/8/80	250.00
	7/8/80	1,000.00
	7/22/80	250.00
	8/8/80	812.56
	8/8/80	10,000.00
CFP Tallahassee, Florida	7/22/80	250.00
	8/4/80	250.00
CFP Jacksonville, Florida	7/22/80	1,000.00
	7/25/80	1,000.00
	7/30/80	1,000.00
	8/4/80	1,000.00
CFP Gainesville, Florida	7/22/80	300.00
CFP Missouri	7/10/80	1,000.00
	7/15/80	1,000.00
	7/17/80	500.00
	7/17/80	2,000.00
	7/24/80	600.00
	7/25/80	1,000.00
	7/30/80	750.00
	7/30/80	1,500.00
	8/4/80	2,000.00
	8/4/80	1,000.00
CFP Tampa, Florida		
CFP Indiana	7/16/80	1,000.00
	7/30/80	500.00
CFP Nebraska	7/25/80	1,000.00
CFP Florida	7/3/80	500.00
	7/25/80	1,000.00
CFP Wyoming	7/25/80	300.00

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Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee</u> <u>City, State</u>	<u>Date</u>	<u>Amount</u>
CFP	7/8/80	\$ 2,000.00
Georgia	7/9/80	2,000.00
	7/10/80	2,000.00
	7/15/80	2,500.00
	7/16/80	2,000.00
CFP	7/3/80	1,000.00
Texas	7/10/80	1,000.00
	Total	<u>\$46,012.56</u>

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Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
General Scientific Corp Gaithersburg, MD	1/17/80	\$ 100.00	4359	4/23/75
Tennessee Tree El Cajon, CA	1/21/80	5.00	5293	4/28/72
Carl Byoir & Associates Inc. New York, NY	1/24/80	3.50	26269	9/24/62
Bestway Electronics, Inc. Louisville, CO	2/3/80 10/23/80	20.00 73.62	1218 1477	7/24/69
Ancorp National Service Inc. Kansas City, MO	2/8/80	30.00	75661	5/1/62
Baruth and Associate, Inc. Crystal Lake, IL	3/16/80	20.90	2762	11/25/75
Liberty Audio & Film Service, Inc. Richmond, VA	3/20/80	704.20	2472	5/3/77
The Used Book Place, Inc. Dyer, IN	3/25/80 6/2/80 6/18/80	8.15 33.00 20.00	1862 1891 1901	9/18/78
The General Store Van Nuys, CA	4/8/80	12.00	2112	8/21/79
Sane, Inc. Washington, D.C.	4/28/80	32.50	6679	9/21/67
Cato Institute Kansas	4/3/80 4/7/80 4/17/80 10/14/80 10/30/80	785.00 400.00 100.00 274.05 655.85		12/19/74
Drayton Plains Veterinary Hospital Michigan	5/19/80	20.00	381	8/20/75
Libertarian Review Kansas	5/5/80	550.00		7/12/78

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Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
BGIC, Inc. Reno, Nevada	6/17/80	\$ 10.00	1170	12/30/77
Jackson and Co. (USA) Inc. Houston, TX	9/30/80	5.75		1/22/79
Samuel and Co. Altamonte Springs, FL	10/10/80	10.00	994	8/4/78
Philip T. Reinstein, LTD Chicago, IL	10/11/80	10.00	520	8/27/80
POS Services, Inc. Minneapolis, MN	12/2/80	10.00	13617	10/7/75
Financial Planning Institute Altamonte Springs, FL	12/15/80	<u>10.00</u>	781	1/12/79
	Total	<u>\$3,903.52</u>		

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: MAY 25, 1982

SUBJECT: AUDIT REFERRAL TO OGC -
Final Audit Report of the Libertarian
National Committee

The above-named final audit report was approved by
the Commission on May 24, 1982 by a vote of 5-0.

In this report, the Audit staff recommended that the
finding be referred to the Office of General Counsel for
compliance action.

cc: Staff Director
Audit Division



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Vivian Baures, Treasurer
Libertarian National Committee
National Headquarters
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007

RE: MUR 1446

Dear Ms. Baures:

On , 1982, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. §§ 434(b), 441a and 441b, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis with attachments which formed a basis for the Commission's finding, is attached for your information. The Commission also decided to defer action on your committee's failure to produce contributor information in that after the referral of this matter to the Office of General Counsel you offered a method in which that information could be tested. A member of the Commission's audit division will contact you with regard to auditing the contributor information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desire. See 11 C.F.R. § 111.18(d).

Attachment II page 1

Letter to Vivian Baures
Page 2
MUR 1446

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Victor Sterling, the attorney assigned to this matter, at 523-4175.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1446
STAFF MEMBER & TEL. NO.
Victor Sterling
202 523-4175

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

RESPONDENT: Libertarian National Committee

GENERATION OF MATTER

On May 24, 1982, the Commission considered the final audit report of the Libertarian National Committee (LNC) and voted to refer this matter to the Office of General Counsel for compliance action.

SUMMARY OF POSSIBLE VIOLATIONS

The following possible violations were ascertained by auditors:

A) The LNC failed to provide contributor information in that LNC officials denied the audit staff access to the computer which contained the information. LNC officials indicated that if they allowed access to the computer on individual contributions, this access would necessarily include the period

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from 1979 through 1981 and since the period of the audit only covered January 1, 1980 through December 31, 1980, the committee denied auditor access.

B) (1) LNC failed to accurately disclose its cash on hand involving \$39,770.86 in receipts and failed to itemize contributions from 33 individuals totaling \$34,228.91. The latter amount is included in the total of \$39,770.86 of unreported receipts.

(2) LNC failed to report 59 expenditures totaling \$73,883.44 which require itemization. Additionally, according to the audit report there was an overstatement of expenditures in the net amount of \$1,348.30.

C) LNC bank records indicate that the Committee disbursed \$46,012.56 to the Clark for President Committee. The Clark for President Committee has refunded \$24,300 to LNC leaving an unrefunded balance of \$20,712.56 over the limit.

D) LNC received 26 contributions totaling \$3,903.52 from apparent corporate entities. An LNC official stated to the auditors that the funds were received from the sale of literature, advertising space in the LNC newspaper and for rental of LNC mailing lists.

According to the information compiled by the auditors based on the review of documentation and statements made by LNC officials to the auditors, the following analysis is prepared.

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FACTUAL AND LEGAL ANALYSIS

A. Failure to provide contributor information.

On May 24, 1982, the Commission voted to refer to the Office of General Counsel possible violations of 2 U.S.C. § 434(b) for LNC's failure to make contributor information available to the auditors. Subsequent to the Commission's decision to refer this matter, LNC responded to the auditors and described a method for reviewing source documentation in order to review contributor information. The auditors have reviewed LNC's response and have indicated in a July 6, 1982 memorandum that if LNC were to allow audit staff access to the contributor files as LNC's treasurer describes, a limited receipt test could be performed. Prior to citing the Committee for violations of the Act it is this Office's recommendation that the auditors schedule this field work with the Committee. If this effort to review the documentation proves unsuccessful we will make further recommendations at that time, concerning the failure to produce contributor information as required by 2 U.S.C. § 434(b).

B. Reporting Errors and Omissions

LNC maintains two bank accounts, the headquarters operating account and the ballot drive account. The headquarter's operating account is used for depositing contributions received and disbursing funds for federal activity. The ballot drive account is used for gaining access to the ballot in various

states. Receipts into the ballot drive account were comprised of contributions deposited directly into the account and transfers from the headquarter's operating account. According to a review of LNC's reports, the ballot drive account reported expenditures for purposes such as ballot access and petitions. According to the auditor's review, based on a sampling of bank records and receipts, a majority of the expenditures from the ballot drive account were for the purpose of soliciting petition signatures and for reimbursement of travel expenses.

1. Unreported receipts

LNC failed to report \$39,770.86 in receipts. Of that amount \$14,660.00 was deposited into the ballot drive account and \$25,110.86 was deposited into the headquarter's operating account. Included in the \$39,770.86, the auditors identified to LNC 33 contributions totaling \$34,228.91 which required itemization (see attachment "A"). In a late response to the interim audit report after the referral of this matter, LNC filed amendments covering calendar year 1980 which disclosed the \$34,228.91 in itemizable contributions, however the contributors' occupation and names of employers were not disclosed. In addition, the summary page totals for individual contributions, other receipts and total receipts were incorrect.

2 U.S.C. §§ 434(b)(1), (2) and (4) require that each report include the amount of cash on hand at the beginning of the

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reporting period, the total amount of receipts and disbursements for the reporting period and the calendar year. In addition, 2 U.S.C. § 434(b)(3) requires, in part, that the identity of each person making an aggregate contribution in excess of \$200 within a calendar year, shall be disclosed. 2 U.S.C. § 431(13)(A) defines identification as including the occupation and the name of the employer of the contributor. Thus, LNC's failure to file in a timely fashion the itemization of 33 contributions totaling \$34,228.91 and its continued failure to identify the occupation and names of contributors' employers is violative of 2 U.S.C. § 434(b)(3)(A). LNC's failure to correct the summary page totals for individual contributors, other receipts and total receipts is violative of 2 U.S.C. §§ 434(b)(1), (2) and (4).

2. Unreported expenditures

LNC failed to report 59 expenditures totaling \$73,883.44 which require itemization. Of that amount \$62,000 was disbursed from the ballot drive account and \$11,883.44 was disbursed from the headquarter's operating account. In addition, mathematical errors in LNC's reports caused expenditures to be overstated by the net amount of \$1,348.30. The auditors provided LNC with a schedule of the expenditures requiring itemization at the exit conference. In response, LNC filed amendments to their reports attempting to address the failure to itemize expenditures, however a \$13,000 expenditure was reported as a \$1,300

expenditure. In an apparent attempt to reconcile the balances LNC reported the difference of \$11,700 as an adjustment to transfers out. Furthermore, the committee failed to correct the \$1,348.30 overstatement in expenditures. Thus, LNC has continued to fail to accurately report the total of its receipts and expenditures and cash on hand at the beginning of the reporting period as required by 2 U.S.C. §§ 434(b)(1), (2) and (4).

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that LNC violated 2 U.S.C. § 434(b) for errors and omissions concerning both receipts and expenditures.

C. Excessive Contributions

According to the auditor's review of LNC's bank records, the committee disbursed \$46,012.56 to the Clark for President Committee (CFP) (see attachment "B") . Those disbursements were made from both the ballot drive account and the headquarter's operating account. LNC failed to report \$31,400 of those disbursements which were included in the discussion of the previous section.

In response to a March 4, 1980, request for additional information to the CFP, on August 29, 1980, CFP refunded \$24,300.00 to LNC which left an unrefunded balance of \$20,712.59 (\$21,712.59 - \$1,000) in apparent excessive contributions. On

May 21, 1982, LNC indicated that the contributions made in excess of the \$24,300 were not direct contributions to CFP. LNC states that the balance of \$21,712.59 was not actually received by CFP but was used to pay expenses incurred in obtaining ballot access in various states from July 7, 1980 to August 8, 1980. LNC does not argue that those disbursements should be considered exempt as ballot access expenditures but argues that since the payments were not made directly to CFP they should have been reported as coordinated expenditures pursuant to 2 U.S.C. § 441a(d).

However, the auditor's review of LNC's bank records showed copies of wire transfer forms which indicated that CFP was the recipient of the \$46,012.56 in contributions. Thus, the wire transfers showing direct payments to CFP from LNC contradicts LNC's assertion that CFP did not receive direct payments from LNC in excess of \$24,300. If all the payments from LNC to CFP are direct as the audit review indicates, then those payments could not be considered expenditures pursuant to 2 U.S.C. § 441a(d). However, it is possible that part of those payments could qualify for the ballot access exemption provisions contained in 2 U.S.C. §§ 431(8)(B)(xiii) and 431(9)(B)(x).

In July, 1982, the Commission considered the parameters of the ballot access exemption. Essentially, the Commission concluded that the exemption be viewed in a limited manner. The exemption is limited in scope to filing fees which are mandated

by "state statute or requires the fee to be paid to a party committee or to a state official." The exemption does not cover alternative methods of ballot access such as costs incurred in a signature petition, however costs such as those incurred in the verification of petition signatures would fall under the exemptions.

In this matter, it appears that \$46,012.56 was paid directly from LNC to CFP which would not qualify as an expenditure pursuant to 2 U.S.C. § 441a(d) and we do not have sufficient information to ascertain whether any of those payments would qualify under the ballot access exemption. Therefore, in order to reconcile contradictions in statements by LNC and the auditor's finding and to further review the payments made by LNC to CFP, in light of the limited ballot access exemption, we recommend that the Commission find reason to believe that LNC violated 2 U.S.C. § 441a by making contributions in excess of \$1,000 and reason to believe that CFP violated 2 U.S.C. § 441a(f) for accepting contributions in excess of the limitations.

D. Prohibited Contributions

LNC received 26 contributions totaling \$3,903.52 from corporate entities (see attachment "C"). The auditors identified the name and amount of each corporate entity to committee officials. In response LNC indicated that all receipts from corporate entities were "for the sale of publications of the

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rental of name lists in arms length, normal course business transactions." LNC further responded that the corporate funds were received in the sale of literature and ads in the LNC newspaper.

According to the auditor's review, LNC's records did not indicate that service was provided to the corporations in return for the payments. Furthermore, it is not clear whether the receipt of corporate funds should not be considered corporate contributions even if LNC had in fact sold literature, rented mailing lists or provided advertising space in its newspaper. The Commission has considered committee's requests to enter into transactions where funds may be realized in return for items of intrinsic value.

It has been the position of the Commission since 1975 that "(a)s a general matter, a person who transmits money to a political committee or candidate - any portion of which is available to be spent for the purpose of influencing a federal election - has made a contribution in the full amount of the funds so transmitted. The fact that the contributor obtains an item of intrinsic value does not remove the transaction from this definition of contribution." AO 1975-15, AO 1976-22, AO 1978-46 AO 1979-76 and AO 1981-3. However, the Commission has made exceptions to this broad rule in the context of certain specific factual situations. Exceptions to the rule have involved the

sale of committee assets for their fair market value when a committee was going out of business (AO 1979-24) and the sale of an asset developed by a committee in the normal course of its own operations (e.g. a mailing list AO 1979-18). In AO 1978-46 the Commission determined that acceptance of corporate funds for advertisements in a party newsletter was prohibited if material published in that newsletter was related to federal elections. More recently, in AO 1981-3, concerning a party committee, the Commission decided that the payment of costs by corporations for advertisements in the party committee's newspaper, are permissible only to the extent that the funds are used for non-federal purposes. Corporate funds could not be used to defray the costs of the federal portion.

Thus, we recommend that the Commission find reason to believe that LNC received corporate contributions in violation of 2 U.S.C. § 441b in order to further ascertain the circumstances of the receipt of those funds and the expenditure of the corporate funds which were purportedly received for the sale of advertising space, literature and mailing lists.

Libertarian National Committee
Schedule of Unreported Contributions

<u>Name</u>	<u>Date</u>	<u>Amount</u>
Ray Hendrickson	2/17/80	\$ 250.00
Sylvia Olson	2/29/80	208.00
PG Central Committee MD LP	3/3/80	1,600.00
S. A. Long	3/18/80	2,000.00
PG Central Committee Md LP	4/10/80	500.00
Mark F. Doherty	4/10/80	500.00
		500.00
William Mayo	4/14/80	4,950.00
Libertarian CA Convention Committee	4/15/80	2,855.91
PG Central Committee Md LP	5/12/80	125.00
	5/19/80	35.00
S. D. Cooley	6/3/80	500.00
Ed Clark for President Committee	6/5/80	1,500.00
S. Dallas Cooley, MD	6/25/80	150.00
Mrs. G. B. Henderson	7/19/80	1,000.00
David W. Saum	8/3/80	250.00
Ed Clark for President Committee	8/4/80	10,000.00
L. B. Barnes	8/12/80	250.00
George Mason	8/15/80	270.00
Bernard A. Losching	8/18/80	280.00
	8/22/80	280.00
H. B. Shasteen	8/18/80	270.00
Paul Grant	9/3/80	250.00
Bernard A. Losching	9/8/80	300.00
Richard K. Kenney	9/11/80	270.00
PG Central Committee Md LP	9/15/80	250.00
Scott R. Bowden	10/6/80	930.00
Catherine Roland	10/8/80	1,000.00
Thelma Dixon	10/10/80	500.00
Troy G. Stafford	10/10/80	250.00
Bill Blumnert	10/17/80	1,000.00
William D. Burt	11/7/80	1,000.00
Mary Lehmann	11/25/80	205.00
Total		<u>\$34,228.91</u>
Unitemized Receipts		<u>\$ 5,541.95</u>

Attachment "A"

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Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee City, State</u>	<u>Date</u>	<u>Amount</u>
Clark for President (CFP)	7/2/80	\$ 750.00
Washington, D.C.	7/8/80	250.00
	7/8/80	1,000.00
	7/22/80	250.00
	8/8/80	812.56
	8/8/80	10,000.00
CFP	7/22/80	250.00
Tallahassee, Florida	8/4/80	250.00
CFP	7/22/80	1,000.00
Jacksonville, Florida	7/25/80	1,000.00
	7/30/80	1,000.00
	8/4/80	1,000.00
CFP	7/22/80	300.00
Gainesville, Florida		
CFP	7/10/80	1,000.00
Missouri	7/15/80	1,000.00
	7/17/80	500.00
	7/17/80	2,000.00
	7/24/80	600.00
	7/25/80	1,000.00
	7/30/80	750.00
	7/30/80	1,500.00
	8/4/80	2,000.00
CFP	8/4/80	1,000.00
Tampa, Florida		
CFP	7/16/80	1,000.00
Indiana	7/30/80	500.00
CFP	7/25/80	1,000.00
Nebraska		
CFP	7/3/80	500.00
Florida	7/25/80	1,000.00
CFP	7/25/80	300.00
Wyoming		

Attachment "B" p1

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Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee City, State</u>	<u>Date</u>	<u>Amount</u>
CFP Georgia	7/8/80	\$ 2,000.00
	7/9/80	2,000.00
	7/10/80	2,000.00
	7/15/80	2,500.00
	7/16/80	2,000.00
CFP Texas	7/3/80	1,000.00
	7/10/80	<u>1,000.00</u>
Total		<u>\$46,012.56</u>

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Libertarian National Committee

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Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
General Scientific Corp Gaithersburg, MD	1/17/80	\$ 100.00	4359	4/23/75
Tennessee Tree El Cajon, CA	1/21/80	5.00	5293	4/28/72
Carl Byoir & Associates Inc. New York, NY	1/24/80	3.50	26269	9/24/62
Bestway Electronics, Inc. Louisville, CO	2/3/80 10/23/80	20.00 73.62	1218 1477	7/24/69
Ancorp National Service Inc. Kansas City, MO	2/8/80	30.00	75661	5/1/62
Baruth and Associate, Inc. Crystal Lake, IL	3/16/80	20.90	2762	11/25/75
Liberty Audio & Film Service, Inc. Richmond, VA	3/20/80	704.20	2472	5/3/77
The Used Book Place, Inc. Dyer, IN	3/25/80 6/2/80 6/18/80	8.15 33.00 20.00	1862 1891 1901	9/18/78
The General Store Van Nuys, CA	4/8/80	12.00	2112	8/21/79
Sane, Inc. Washington, D.C.	4/28/80	31.50	6679	9/21/67
Cato Institute Kansas	4/3/80 4/7/80 4/17/80 10/14/80 10/30/80	785.00 400.00 100.00 274.05 655.55		12/19/74
Drayton Plains Veterinary Hospital Michigan	5/19/80	21.00	381	8/20/75
Libertarian Review Kansas	5/5/80	550.00		7/12/78

Attachment "C" p1

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(47)

Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor</u> <u>City, State</u>	<u>Date of</u> <u>Contribution</u>	<u>Amount</u>	<u>Check</u> <u>Number</u>	<u>Date of</u> <u>Incorporation</u>
EGIC, Inc. Reno, Nevada	6/17/80	\$ 10.00	1170	12/30/77
Jackson and Co. "USA" Inc. Houston, TX	9/30/80	5.75		1/22/79
Samuel and Co. Altamonte Springs, FL	10/10/80	10.00	994	8/4/78
Philip T. Feinstein, LTD Chicago, IL	10/11/80	10.00	520	8/27/80
POS Services, Inc. Minneapolis, MN	12/2/80	10.00	13617	10/7/75
Financial Planning Institute Altamonte Springs, FL	12/15/80	<u>10.00</u>	781	1/12/79
	Total	<u>\$3,903.52</u>		

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(17)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Julie R. Herbert, Jr.
Treasurer
Ed Clark for President Committee
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007

RE: MUR 1446

Dear Mr. Herbert:

On , 1982, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by accepting contributions from the Libertarian National Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desire. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Attachment III

Letter to Jule R. Herbert, Jr.
Page 2
MUR 1446

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Victor Sterling, the attorney assigned to this matter, at 523-4175.

Sincerely

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

cc: Ed Clark

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1446
STAFF MEMBER & TEL. NO.
Victor Sterling
202 523-4175

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

RESPONDENT: EG Clark for President Committee

GENERATION OF MATTER

On May 24, 1982, the Commission considered the final audit report of the Liberation National Committee (LNC) and voted to refer the following matter to the Office of General Counsel for compliance action.

SUMMARY OF POSSIBLE VIOLATIONS

LNC bank records indicate that the Committee disbursed \$46,012.56 to the Clark for President Committee. The Clark for President Committee has refunded \$24,300 to LNC leaving an unrefunded balance of \$20,712.56 over the limit.

According to the information compiled by the auditors based on the review of documentation and statements made by LNC officials to the auditors, the following analysis is prepared.

Attachment III (4)

030401133

FACTUAL AND LEGAL ANALYSIS

Excessive Contributions

According to the auditor's review of LNC's bank records, the committee disbursed \$46,012.56 to the Clark for President Committee (CFP) (see attachment "A") . Those disbursements were made from both the ballot drive account and the headquarter's operating account. LNC failed to report \$31,400 of those disbursements which were included in the discussion of the previous section.

In response to a March 4, 1980, request for additional information to the CFP, on August 29, 1980, CFP refunded \$24,300.00 to LNC which left an unrefunded balance of \$20,712.59 (\$21,712.59 - \$1,000) in apparent excessive contributions. On May 21, 1982, LNC indicated that the contributions made in excess of the \$24,300 were not direct contributions to CFP. LNC states that the balance of \$21,712.59 was not actually received by CFP but was used to pay expenses incurred in obtaining ballot access in various states from July 7, 1980 to August 8, 1980. LNC does not argue that those disbursements should be considered exempt as ballot access expenditures but argues that since the payments were not made directly to CFP they should have been reported as coordinated expenditures pursuant to 2 U.S.C. § 441a(d). However, the auditor's review of LNC's bank records showed copies of wire transfer forms which indicated that CFP was the recipient of the \$46,012.56 in contributions. Thus, the wire transfers

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In July, 1982, the Commission considered the parameters of the ballot access exemption. Essentially, the Commission concluded that the exemption be viewed in a limited manner. The exemption is limited in scope to filing fees which are mandated by "state statute or requires the fee to be paid to a party committee or to a state official." The exemption does not cover alternative methods of ballot access such as costs incurred in a signature petition, however costs such as those incurred in the verification of petition signatures would fall under the exemptions.

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recommend that the Commission find reason to believe that CFP
violated 2 U.S.C. § 441a(f) for accepting contributions in excess
of the limitations.

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(7)

Democratic National Committee

Schedule of Contributions Made
in Excess of the Limitation

(54)

Committee City, State	Date	Amount
Chair for President (OFF) Washington, D.C.	7/2/80	\$ 750.00
	7/8/80	250.00
	7/8/80	1,000.00
	7/22/80	250.00
	8/8/80	812.56
	8/8/80	1,000.00
OFF Tallahassee, Florida	7/22/80	250.00
	8/4/80	250.00
OFF Orlando, Florida	7/22/80	1,000.00
	7/23/80	1,000.00
	7/30/80	1,000.00
	8/4/80	1,000.00
OFF Gainesville, Florida	7/22/80	300.00
OFF Missouri	7/21/80	1,000.00
	7/21/80	1,000.00
	7/27/80	500.00
	7/27/80	2,000.00
	7/27/80	500.00
	7/24/80	1,000.00
	7/23/80	750.00
	7/30/80	1,500.00
OFF Tampa, Florida	8/4/80	2,000.00
	8/4/80	1,000.00
OFF Indiana	7/16/80	1,000.00
	7/30/80	500.00
OFF Maryland	7/23/80	1,000.00
OFF Florida	7/3/80	500.00
	7/15/80	1,000.00
OFF Wyoming	7/15/80	500.00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 6, 1982

MEMORANDUM

TO: CHARLES STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *BAC*
STAFF DIRECTOR

FROM: BOB COSTA *RC*

SUBJECT: LIBERTARIAN NATIONAL COMMITTEE RESPONSE TO
INTERIM AUDIT REPORT

100-1446

On May 24, 1982, the Commission approved for referral to your office, the findings contained in the final audit report on the Libertarian National Committee (the Committee) due to the Committee's failure to respond to the recommendations contained in the audit report. Subsequent to that date a response was received from the Committee (Attachment 1). The Audit Division has reviewed the response and makes the following comments relating thereto.

FINDING 11 A - ACCESS TO COMMITTEE RECORDS

Based on the Committee's response to this finding, it appears that the Committee officials have agreed to a limited review of the computer data base on individual contributions. Due to the condition of the contributor source documents which were reviewed during fieldwork, the Audit staff had proposed just such a review; however, at that time Committee officials had refused all access to their computer files. If the Committee were to allow the Audit staff access to the contributor files as described in the response, a limited receipts test could be performed.

FINDING 11 B - REPORTING ERRORS AND OMISSIONS

1) Unreported Receipts

The Committee included in its reponse an amended report covering 1980 which disclosed the \$34,228.91 in itemizable contributions, however, the contributors and names of employers were not disclosed. In addition the summary page totals for individual contributions, other receipts, and total receipts were incorrect.

2) Unreported Expenditures

The Committee amended its 1980 expenditure total to disclose the unreported expenditures, however, a \$13,000 expenditure was reported as \$1,300 and the difference (\$11,700) was reported as an adjustment to transfers out. The Committee's amended report did not correct the \$1,348.30 overstatement in expenditures noted in Section b of the recommendation.

3) Excessive Contributions

In the response the Committee states that all amounts included on the list of excessive contributions except for \$24,300 were not received by the Clark For President Committee but were used directly for expenses incurred in obtaining ballot status in various states. This statement is contradicted by the Committee's bank records which include copies of wire transfer forms that indicate the recipient of the funds as Clark For President Committee accounts in various states.

4) Prohibited Contributions

In its response, the Committee states that all receipts from corporations noted in the audit report were "for the sale of publications of the rental of name lists in arms length, normal course of business transactions."

There were no indication in the Committee's records that any service was provided to these corporations, nor has the Committee provided any evidence to support their statement. Regardless of whether a service was provided or not, the Commission, in similar cases has held that the contributions would have to be refunded to the corporations.

If you have any questions concerning the matters noted above, please contact Ray Lisi at 3-4155.



Libertarian Party

National Headquarters
2300 Wisconsin Avenue, N.W.
Washington, D.C. 20007
(202) 333-8209

Attachment #1

Alicia Garcia Clark
Chairwoman
Sheldon Richman
Vice Chairman
Frances Eddy
Secretary
Vivian Baures
Treasurer
Eric O'Keefe
National Director

May 21, 1982

Robert J. Costa
Assistant Staff Director
for the Audit Division
Federal Election Commission
Washington, D.C. 20463

Mr. Costa,

First, I would like to thank you for allowing extra time for me to prepare a response to your letter of February 24, 1982 about your interim report of the 1980 Audit of the Libertarian National Committee.

As you know, my term as Treasurer of the LNC began in August, 1981 and I am not, therefore, completely familiar with all that transpired during 1980. I have, however, reviewed a substantial amount of the record as well as interviewed the principles involved during that time period. As a result, I feel quite confident that the substantive provisions of the Federal Election Campaign Act of 1971 have been complied with even though there have been some errors in reporting our activities to you. I am therefore enclosing an amended December 31, 1980 report detailed summary page to reflect the correction of these errors.

Discussion of your specific findings and recommendations follow:

A. Access to Committee Records

Section 102.9(a) requires that our accounts be kept "by any reasonable accounting procedure". I believe the procedures we follow are quite reasonable and do provide us with the information necessary to develop the specific information you require.

While it is true that our computerized records do not segregate 1980's records from other year's records, the date of each transaction is maintained with the record so that if you requested information of a specific nature (such as a record of all the 1980 contributions of contributor X) we could provide this for you. However, if you wish to review records over a broad scope and in a general way, I recommend you review the

Robert J. Costa
May 21, 1982
Page 2

actual source documents (including copies of checks and deposit slips) which have been filed by date of receipt. It is my understanding that these detailed records have been made available to you previously.

To further explain the position we have taken on this issue in the past, I have asked S. Dallas Cooley, the previous Treasurer, to respond to this item. He states:

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"Paragraph C. Scope contains an erroneous statement. In that paragraph there is a sentence which reads "Due to the Committee's failure to provide the required information pertaining to individual contributions, the Audit staff was precluded from conducting tests of the Committee's compliance with the Act's recordkeeping, disclosure and individual contribution limitation requirements.". The Committee did, in fact, offer to provide the information that would have allowed the Audit staff to test compliance, etc. The Audit staff refused to avail itself of the materials we have been continuously willing to provide. The Audit staff admitted this in a letter to me dated August 13, 1981. This present Interim Report again verifies that the Committee does, in fact, have records, in the form of source documents. The Audit staff has never proven a single case of failure to report donors to the Commission as required by the laws that are partially quoted on page 2, section II.A. The Interim Report states that our method of maintaining the contributor records precluded the Audit staff from verifying that the Committee had met the disclosure and recordkeeping requirements of the Act. Why were they precluded? Only because, and I quote from the August 13, 1981 letter, it would be "costly, time consuming, and could be unnecessarily disruptive to the day to day operations of the Committee". We were willing to risk the possible disruption of our day to day operations. The law does not state that we must keep records in such a way that verification of compliance will entail a limited expenditure of money or a limited amount of time.

I reiterate the position which I and other members of the Committee involved in this audit have taken from the onset. The contributor records in the form of the response documents are available to you. The law does not require us to keep computer records. We keep computer records for our convenience and our computer records are designed to facilitate the operations of the Committee. Therefore our computer records contain

Robert J. Costa
May 21, 1982
Page 3

information which is of benefit to the Committee and they contain information which the Commission is not entitled by law to have. We intend to protect our right to privacy regarding our computer records as long as those records contain such information."

B. Reporting Errors and Omissions

I appreciate your tabulations of specific unreported receipts and expenditures. These errors and omissions were due to human error and have been incorporated into the enclosed amended report.

C. Excessive Contributions

I have reviewed your list of "excessive contributions" and find that, except for the \$24,300 which was refunded to the LNC by the Clark for President Committee, these amounts were not actually received by the Clark for President Committee but rather used directly for expenses incurred in obtaining ballot status in various states during the 37 day period from July 7, 1980 to August 8, 1980. These items should have been reported as coordinated expenditures which is what they actually were.

D. Prohibited Contributions

I have reviewed your list of "prohibited contributions" and find that these items were receipts for the sale of publications of the rental of name lists in arms length, normal course of doing business transactions. In no sense were these receipts contributions made "for the purpose of influencing any election".

In some cases these items have not been correctly listed on line 17 of the detailed summary page. The 12/31/80 report has been amended to reflect these changes.

If you have any further questions or comments, please direct them to my Oregon address in order to expedite a response.

Sincerely,



Vivian Baures, Treasurer
2351 China Gulch Road
Ruch, Oregon 97530
503/899-8250

Enclosures

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

1. Name of Committee (in Full) Libertarian National Committee Address (Number and Street) 2300 Wisconsin Ave City, State and ZIP Code Washington, D.C. 20007 ☐ Check if address is different than previously reported. 2. FEC Identification Number 3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)	4. TYPE OF REPORT (check appropriate boxes) (a) ☐ April 15 Quarterly Report ☐ July 15 Quarterly Report ☐ October 15 Quarterly Report ☒ January 31 Year End Report AMENDED ☐ July 31 Mid Year Report (Non-election Year Only) ☐ Monthly Report for _____ ☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ ☐ Thirtieth day report following the General Election on _____ in the State of _____ ☐ Termination Report (b) Is this Report an Amendment? ☒ YES ☐ NO
--	---

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	Through 12/31/80		
6. (a) Cash on Hand January 1, 19			\$ 42,111.06
(b) Cash on Hand at Beginning of Reporting Period		\$	
(c) Total Receipts (from Line 18)		\$	\$ 565,293.21
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$	\$ 607,404.32
7. Total Disbursements (from Line 28)		\$	\$ 603,810.60
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$	\$ 3,593.72
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Vivian Baures

Type or Print Name of Treasurer

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

5/21/82

SIGNATURE OF TREASURER

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Name of Committee (in Full) Libertarian National Committee		Report Covering the Period: From: To: 12/31/80	
	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date	
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees		404,452.52	
(Memo Entry Unitemized \$ _____)			
(b) Political Party Committees		4,417.92	
(c) Other Political Committees		408,870.44	
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)		11,920.31	
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		81,000.00	
13. ALL LOANS RECEIVED		6,503.44	
14. LOAN REPAYMENTS RECEIVED		2,535.57	
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		47,463.82	
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		6,999.68	
17. OTHER RECEIPTS (Dividends, Interest, etc.)		565,293.26	
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17).			
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES		383,578.84	
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES.		15,136.18	
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES.		18,912.56	
22. INDEPENDENT EXPENDITURES (Use Schedule E)			
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)		161,704.00	
24. LOAN REPAYMENTS MADE		10,000.00	
25. LOANS MADE			
26. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees		978.24	
(b) Political Party Committees		1,149.00	
(c) Other Political Committees		2,127.24	
(d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)		12,351.78	
27. OTHER DISBURSEMENTS.		603,810.60	
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27).			
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d			
30. TOTAL CONTRIBUTION REFUNDS from Line 26d			
31. NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)			
32. TOTAL OPERATING EXPENDITURES from Line 19			
33. OFFSETS TO OPERATING EXPENDITURES from Line 15.			
34. NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)			

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Ray Hendrickson ~ Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 2/17/80 ~	Amount of Each Receipt this Period 250.00-
B. Full Name, Mailing Address and ZIP Code Sylvia Olsom Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 2/29/80	Amount of Each Receipt This Period 208.00
C. Full Name, Mailing Address and ZIP Code S.A. Long Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 3/18/80	Amount of Each Receipt This Period 2000.00
D. Full Name, Mailing Address and ZIP Code Mark F. Doherty Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 4/10/80	Amount of Each Receipt This Period 500.00 500.00
E. Full Name, Mailing Address and ZIP Code William Mayo Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 4/14/80	Amount of Each Receipt This Period 4950.00
F. Full Name, Mailing Address and ZIP Code S.D. Cooley Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 6/3/80 6/25/80	Amount of Each Receipt This Period 500.00 150.00
G. Full Name, Mailing Address and ZIP Code Mrs. G.B. Henderson Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 7/19/80	Amount of Each Receipt This Period 1000.00

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code David W. Saum Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 8/3/80	Amount of Each Receipt this Period 250.00
B. Full Name, Mailing Address and ZIP Code L.B. Barnes Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 8/12/80	Amount of Each Receipt This Period 250.00
C. Full Name, Mailing Address and ZIP Code Geroge Mason Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 8/15/80	Amount of Each Receipt This Period 270.00
D. Full Name, Mailing Address and ZIP Code Bernard A. Losching Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 8/18/80 8/22/80 9/8/80	Amount of Each Receipt This Period 280.00 280.00 300.00
E. Full Name, Mailing Address and ZIP Code H.B. Shasteen Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 8/18/80	Amount of Each Receipt This Period 270.00
F. Full Name, Mailing Address and ZIP Code Paul Grant Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 9/3/80	Amount of Each Receipt This Period 250.00
G. Full Name, Mailing Address and ZIP Code Richard K. Kenney Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—\$	Date (month, day, year) 9/11/80	Amount of Each Receipt This Period 270.00
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			

SCHEDULE A

ITEMIZED RECEIPTS

Page 3 of 3 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.			
Name of Committee (in Full) Libertarian National Committee			
A. Full Name, Mailing Address and ZIP Code Scott R. Bowden		Name of Employer	Date (month, day, year) 10/6/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt this Period 930.00
		Aggregate Year-to-Date--\$	
B. Full Name, Mailing Address and ZIP Code Catherine Roland		Name of Employer	Date (month, day, year) 10/6/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt This Period 1000.00
		Aggregate Year-to-Date--\$	
C. Full Name, Mailing Address and ZIP Code Thelma Dixon		Name of Employer	Date (month, day, year) 10/10/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt This Period 500.00
		Aggregate Year-to-Date--\$	
D. Full Name, Mailing Address and ZIP Code Troy G. Stafford		Name of Employer	Date (month, day, year) 10/10/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt This Period 250.00
		Aggregate Year-to-Date--\$	
E. Full Name, Mailing Address and ZIP Code Bill Blummert		Name of Employer	Date (month, day, year) 10/17/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt This Period 1000.00
		Aggregate Year-to-Date--\$	
F. Full Name, Mailing Address and ZIP Code Wm. D. Burt		Name of Employer	Date (month, day, year) 11/7/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt This Period 1000.00
		Aggregate Year-to-Date--\$	
G. Full Name, Mailing Address and ZIP Code Mary Lehmann		Name of Employer	Date (month, day, year) 11/25/80
Receipt For: ☐ Primary ☐ General ☐ Other (specify):		Occupation	Amount of Each Receipt This Period 205.00
		Aggregate Year-to-Date--\$	
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			17,363.00

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
 LINE NUMBER 17
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code PF Central Committee MD LP Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
		3/3/80	1600.00
		4/10/80	500.00
	Occupation	5/12/80	125.00
	Aggregate Year-to-Date--\$	5/19/80	35.00
		9/15/80	250.00

B. Full Name, Mailing Address and ZIP Code Libertarian CA Conv. Comm. Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		4/15/80	2855.91
	Occupation		
	Aggregate Year-to-Date--\$		

C. Full Name, Mailing Address and ZIP Code Ed Clark for President Comm. Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
		6/5/80	1500.00
	Occupation	8/4/80	10000.00
	Aggregate Year-to-Date--\$		

D. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
	Aggregate Year-to-Date--\$		

E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
	Aggregate Year-to-Date--\$		

F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
	Aggregate Year-to-Date--\$		

G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
	Aggregate Year-to-Date--\$		

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

16,865.91

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 2 for
 LINE NUMBER 19
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code LP of CA Conv. Comm.	Purpose of Disbursement booth rental Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 1/30/80	Amount of Each Disbursement This Period 150.00
B. Full Name, Mailing Address and ZIP Code Selec Temp	Purpose of Disbursement temporary help Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 2/7/80	Amount of Each Disbursement This Period 638.40
C. Full Name, Mailing Address and ZIP Code Mark Doherty	Purpose of Disbursement petitions Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 3/22/80	Amount of Each Disbursement This Period 364.75
D. Full Name, Mailing Address and ZIP Code 1980 CA State Comm.	Purpose of Disbursement dinner ticket Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 3/14/80	Amount of Each Disbursement This Period 25.00
E. Full Name, Mailing Address and ZIP Code GFP	Purpose of Disbursement MCI reimbursment Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 3/26/80	Amount of Each Disbursement This Period 312.00
F. Full Name, Mailing Address and ZIP Code RMRS	Purpose of Disbursement postage meter Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 4/3/80	Amount of Each Disbursement This Period 400.00
G. Full Name, Mailing Address and ZIP Code Wn. W. Kendricks Co.	Purpose of Disbursement bumper stickers Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 4/8/80	Amount of Each Disbursement This Period 221.61
H. Full Name, Mailing Address and ZIP Code Insta-Print	Purpose of Disbursement printing Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 4/9/80	Amount of Each Disbursement This Period 674.22
I. Full Name, Mailing Address and ZIP Code Circle Graphics	Purpose of Disbursement printings Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 5/23/80	Amount of Each Disbursement This Period 1023.75
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 2 of 2 for
 LINE NUMBER 19
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Dave Bergland	Purpose of Disbursement reimbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 6/27/80	Amount of Each Disbursement This Period 250.00
B. Full Name, Mailing Address and ZIP Code Data General	Purpose of Disbursement computer Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 8/14/80	Amount of Each Disbursement This Period 420.00
C. Full Name, Mailing Address and ZIP Code DCDOL	Purpose of Disbursement taxes Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 8/29/80	Amount of Each Disbursement This Period 472.40
D. Full Name, Mailing Address and ZIP Code Leslie Key	Purpose of Disbursement reimbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 9/5/80 9/26/80	Amount of Each Disbursement This Period 275.00 250.00
E. Full Name, Mailing Address and ZIP Code Fraceis Eddy	Purpose of Disbursement payroll Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 9/26/80	Amount of Each Disbursement This Period 60.00
F. Full Name, Mailing Address and ZIP Code DC Treasurer	Purpose of Disbursement taxes Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 10/6/80	Amount of Each Disbursement This Period 1512.18
G. Full Name, Mailing Address and ZIP Code Southern Office Supplies	Purpose of Disbursement supplies Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 10/7/80	Amount of Each Disbursement This Period 84.13
H. Full Name, Mailing Address and ZIP Code Dave Bergland	Purpose of Disbursement reimbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 4/2/80	Amount of Each Disbursement This Period 4750.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			11,883.44

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 ²¹
 LINE NUMBER 21
 (Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code Fuerle for Atty General Penn.	Purpose of Disbursement contribution Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 8/11/80	Amount of Each Disbursement This Period 2000.00
B. Full Name, Mailing Address and ZIP Code Jacklyn Lambka	Purpose of Disbursement contribution Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 8/1/80	Amount of Each Disbursement This Period 1300.00
C. Full Name, Mailing Address and ZIP Code Kathrlyn J Jacobs	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year) 7/30/80	Amount of Each Disbursement This Period 1000.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			4300.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
 LINE NUMBER 23
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Libertarian National Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Clark for President	Ballot Access	7/24/80	600.00
	Disbursement for: ☐ Primary ☐ General	8/4/80	250.00
	☐ Other (specify):	8/4/80	1000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	8/4/80	1000.00
		8/4/80	2000.00
	Disbursement for: ☐ Primary ☐ General	7/30/80	500.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/30/80	1000.00
		7/25/80	1000.00
	Disbursement for: ☐ Primary ☐ General	7/25/80	1000.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/25/80	300.00
		7/18/80	1500.00
	Disbursement for: ☐ Primary ☐ General	7/17/80	2000.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/16/80	2000.00
		7/16/80	1000.00
	Disbursement for: ☐ Primary ☐ General	7/17/80	500.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/15/80	2500.00
		7/15/80	1000.00
	Disbursement for: ☐ Primary ☐ General	7/10/80	2000.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/10/80	1000.00
		7/8/80	2000.00
	Disbursement for: ☐ Primary ☐ General	7/8/80	500.00
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/3/80	1000.00
		7/25/80	1000.00
	Disbursement for: ☐ Primary ☐ General	7/10/80	1000.00
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/25/80	1000.00
		7/25/80	1000.00
	Disbursement for: ☐ Primary ☐ General	7/21/80	2000.00
J. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/21/80	1000.00
		7/16/80	1500.00
	Disbursement for: ☐ Primary ☐ General	7/10/80	1000.00
K. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/10/80	2000.00
		7/10/80	2000.00
	Disbursement for: ☐ Primary ☐ General	7/3/80	2000.00
L. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	7/25/80	600.00
		7/25/80	11,700.00
	Disbursement for: ☐ Primary ☐ General	7/22/80	11,700.00
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			57,700.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 25, 1972

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *[Signature]*
STAFF DIRECTOR

FROM: BOB COSTA *[Signature]*

SUBJECT: AUDIT REFERRALS - LIBERTARIAN NATIONAL
COMMITTEE (A81-11) AND CITIZENS' ADVOCATE
POLITICAL ACTION COMMITTEE (A81-31)

As requested by your office, attached are copies of final audit reports and Commission approved memoranda referring matters noted during audits of the above named committees to your office for compliance action.

If you have any questions concerning these matters, please contact Ray Lisi or Lorenzo David at extension 3-4155.

Attachments as stated



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

A81-11

May 19, 1982

MEMORANDUM

TO: THE COMMISSIONERS

THROUGH: B. ALLEN CLUTTER
STAFF DIRECTOR

FROM: BOB COSTA *RJC*

SUBJECT: FINAL AUDIT REPORT -
LIBERTARIAN NATIONAL COMMITTEE

Attached is the final audit report of the Libertarian National Committee (the Committee). Also attached as Exhibit 1 are Findings A through D which are being referred to the Office of General Counsel due to the Committee's failure to respond to the Audit staff's recommendations contained in the interim audit report.

On March 23, 1982, the Commission approved the Committee's request for an extension to the interim audit report response period from March 27, 1982, to May 1, 1982. In a telephone conversation on May 6, 1982, the Committee treasurer stated that the response would be mailed within a few days, however to date no response has been received. Audit staff have been unable to contact the treasurer at her home in Oregon since the initial phone conversation. A message was left at Committee headquarters on May 12, 1982, asking her to contact the Audit Division.

Since the Committee has had in excess of two (2) months to prepare the response and no response appears forthcoming, the Audit Division recommends that these matters be referred to the Office of General Counsel for compliance action.

The audit report is being circulated to the Commission for a tally vote. Upon notice of Commission approval the report will be held for public release pending notification of the Committee's receipt of its informational copy. If you have any questions concerning this matter, please contact Ray Lisi at extension 3-4155.

Attachments as stated



FEDERAL ELECTION COMMISSION

WASHINGTON, D C. 20463

A81-11

REPORT OF THE AUDIT DIVISION
ON THE
LIBERTARIAN NATIONAL COMMITTEE

I. Background

A. Overview

This report is based on an audit of the Libertarian National Committee ("the Committee") undertaken by the Audit Division of the Federal Election Commission in accordance with the Commission's audit policy to determine whether there has been compliance with the provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The audit was conducted pursuant to Section 438(b) of Title 2 of the United States Code which states that the Commission may, upon the affirmative vote of four of its members, conduct an audit of any committee which does not meet the threshold requirements for substantial compliance established by the Commission.

The Committee registered with the Federal Election Commission on December 4, 1975 as the Libertarian Party. On November 5, 1980, the Committee changed its name to the Libertarian National Committee. The Committee maintains its headquarters in Washington, D.C.

The audit covered the period January 1 through December 31, 1980. During the period, the Committee reported a cash balance at January 1, 1980 of \$42,111.06, total receipts for the period of \$581,830.37, total expenditures for the period \$565,640.50, and a cash balance on December 31, 1980 of \$5,310.80. 1/

This audit report is based on documents and working papers which support each of the factual statements. They form part of the record upon which the Commission based its decisions on the matters in the report and were available to the Commissioners and appropriate staff for review.

1/ The ending cash figure was misstated due to the Committee reporting errors discussed in Finding II.B.

B. Key Personnel

The Treasurer of the Committee was Paul S. Allen through November 5, 1980 and S. Dallas Cooley from November 5 through the end of the audit period.

C. Scope

The audit included such tests as verification of reported receipts and expenditures and individual expenditure transactions; review of required supporting documentation; analysis of Committee debts and obligations; and such other audit procedures as deemed necessary under the circumstances. Due to the Committee's failure to provide the required information pertaining to individual contributions, the Audit staff was precluded from conducting tests of the Committee's compliance with the Act's recordkeeping, disclosure, and individual contribution limitation requirements.

II. Audit Findings and Recommendations

Matters noted during the audit have been referred to the Commission's Office of General Counsel.

Exhibit 1

II. Audit Findings and Recommendations

A. Access to Committee Records

Section 432(c) of Title 2 of the United States Code states, in part, that the treasurer of a political committee shall keep an account of (1) all contributions received by or on behalf of such political committee; (2) the name and address of any person who makes any contributions in excess of \$50, together with the date and amount of such contribution by any person; (3) the identification of any person who makes a contribution or contributions aggregating more than \$200 during a calendar year, together with the date and amount of any such contribution.

Section 102.9(a) (1) and (2) of Title 11 of the Code of Federal Regulations requires the treasurer of a political committee or an agent authorized by the treasurer to receive contributions and make expenditures to keep an account, by any reasonable accounting procedure, of all contributions received by or on behalf of the political committee. For contributions in excess of \$50, such account shall include the name and address of the contributor and the date of receipt and amount of such contribution. For contributions from any person whose contributions aggregate more than \$200 during a calendar year, such account shall include the identification of the person, and the date of receipt and amount of such contribution.

The receipts records maintained by the Committee for individual contributions consisted of daily deposit batches (copies of deposit tickets with copies of contributor checks attached) and response documents which accompanied the contributions received. These documents were used as the source for computer data entry. Committee officials stated that they were unable to provide a computer print-out of individual contributions for the audit period. The daily deposit batches were filed in chronological order by deposit dates. The contributor checks comprising each batch were filed in random order and neither the number of checks or the amounts of the checks in each batch were uniform. The source documents were boxed in random order with other source documents for several years not included in the audit period.

This method of maintaining the contributor records precluded the Audit staff from verifying that the Committee had met the disclosure and recordkeeping requirements of the Act or that the Committee's system was adequate to allow for proper disclosure and recordkeeping.

Information for individual contributors during the audit period could be retrieved from the Committee's computer; however, Committee officials denied the Audit staff access to the computer because by doing so, the auditors would also have access to 1979 and 1981 receipts records, which are outside the audit period.

In a letter dated August 13, 1981, the Audit Division made a formal written request for access to the computer terminal. As of the close of fieldwork, the Committee had not responded to this request.

Recommendation

The Audit staff recommends that within 30 days of receipt of this report, the Committee provide the Audit staff access to its computer data and any other records pertaining to receipts for the period audited.

B. Reporting Errors and Omissions

Section 434(b)(1)(2) and (4) of Title 2 of the United States Code states that each report shall disclose the amount of cash on hand at the beginning of the reporting period; and for the reporting period and the calendar year, the total amount of all receipts and disbursements.

Section 434(b)(3) of Title 2 of the United States Code states, in part, that each report shall disclose the identification of each person who makes a contribution(s) to the committee in an aggregate amount or value in excess of \$200 within the calendar year, together with the date and amount of any such contribution.

The Committee maintained two (2) bank accounts. One account was the headquarters operating account used for depositing contributions received and disbursing funds for Federal activity. The second account was the Ballot Drive account from which disbursements were made for the purpose of gaining access to the ballot in various states. Receipts into the ballot drive account were comprised of contributions deposited directly into the account and transfers from the headquarters account. The majority of the expenditures from the ballot drive account were for the purpose of soliciting petition signatures and reimbursement of travel expenses.

A review of the Committee's records maintained for these accounts indicated the following reporting discrepancies:

(1) Unreported Receipts

The Committee failed to report \$39,770.86 in receipts. This amount represents approximately 7% of total receipts. Of this amount \$14,660.00 was deposited into the ballot drive account and the remaining \$25,110.86 was deposited into the headquarters account. Included in the \$39,770.86 are 33 contributions totaling \$34,228.91 that required itemization (see Attachment A).

A Committee official stated that she was aware that the reports contained errors, however, she could not explain all the discrepancies.

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee:

- a. amend its reports to itemize the 33 contributions totaling \$34,228.91; and
- b. amend its reports to disclose the \$5,541.95 in unitemized receipts.

(2) Unreported Expenditures

The Committee failed to report 59 expenditures totaling \$73,883.44, all of which required itemization on the Committee's disclosure reports. This amount represents 12.23% of total expenditures. Of this amount \$62,000.00 was disbursed from the ballot drive account and the remaining \$11,883.44 was disbursed from the headquarters account. In addition, math errors on the Committee's reports caused expenditures to be overstated by a net amount of \$1,348.30.

Committee officials were provided with a schedule of the expenditures requiring itemization at the close of the fieldwork.

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee:

- a. amend its reports to itemize the 59 expenditures totaling \$73,883.44; and
- b. amend its report to correct the \$1,348.30 overstatement due to math errors on the Committee reports.

C. Excessive Contributions

Section 441a(a)(1)(A) of Title 2 of the United States Code states that, no person shall make contributions to any candidate and his authorized political committee with respect to any election for Federal office, which in the aggregate, exceed \$1,000.

Section 431(11) of Title 2 of the United States Code states that the term "person" includes an individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons.

The Committee's bank records contained evidence (cancelled checks and debit memos) that the Committee disbursed \$46,012.56 to Clark for President Committee accounts (see Attachment B). These disbursements were made from both the headquarters account and the ballot drive account. Only \$14,612.56 of this amount was reported by the Committee. 2/

On March 4, 1980, the Commission's Reports Analysis Division informed the Clark for President Committee that it had reported receiving contributions in excess of its allowable limit. On August 29, 1980, the Clark for President Committee refunded \$24,300.00 to the Committee.

2/ These unreported items are included in Finding II.B.(2).

At the close of fieldwork, the Committee had exceeded its contribution limit by \$20,712.56 (\$46,012.56 - \$24,300.00 (refund) - \$1,000.00 (contribution limit)).

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee seek a refund of \$20,712.56 from the Clark for President Committee and provide evidence of receipt of the refund (copy of both sides of the refund check) to the Audit staff.

D. Prohibited Contributions

Section 441b(a) of Title 2 of the United States Code states, in part, that it is unlawful for any national bank or any corporation organized by authority of any law of Congress to make a contribution or expenditure in connection with any election to any political office.

In addition, Section 441(b)(2) of Title 2 of United States Code states, in part, for purposes of this section the term "contribution or expenditure" shall include any direct or indirect payment, distribution, loan, advance, deposit or gift of money or any services, or anything of value (except loans made by banks in the ordinary course of business) to any candidate, campaign committee or political party or organization.

The Committee received 26 contributions totaling \$3,903.52 from corporate entities (see Attachment C).

A Committee official stated these funds were received from the sale of literature, ads in the Committee newspaper, and rental of Committee mailing lists. She further stated that a Commission employee informed her that as long as the corporation was charged the fair market value, the receipt of the funds was not a violation. 3/

Recommendation

The Audit staff recommends that within 30 days of receipt of this report the Committee refund the prohibited contributions and submit copies of the cancelled checks (front and back) or present evidence that the contributions were not funded from prohibited sources.

3/ The Committee official could not provide the name of the Commission employee who gave her the information.

Libertarian National Committee
Schedule of Unreported Contributions

<u>Name</u>	<u>Date</u>	<u>Amount</u>
Ray Hendrickson	2/17/80	\$ 250.00
Sylvia Olson	2/29/80	208.00
PG Central Committee MD LP	3/3/80	1,600.00
S. A. Long	3/18/80	2,000.00
PG Central Committee Md LP	4/10/80	500.00
Mark F. Doherty	4/10/80	500.00
		500.00
William Mayo	4/14/80	4,950.00
Libertarian CA Convention Committee	4/15/80	2,855.91
PG Central Committee Md LP	5/12/80	125.00
	5/19/80	35.00
S. D. Cooley	6/3/80	500.00
-- Ed Clark for President Committee	6/5/80	1,500.00
S. Dallas Cooley, MD	6/25/80	150.00
Mrs. G. B. Henderson	7/19/80	1,000.00
David W. Saum	8/3/80	250.00
Ed Clark for President Committee	8/4/80	10,000.00
L. B. Barnes	8/12/80	250.00
George Mason	8/15/80	270.00
Bernard A. Losching	8/18/80	280.00
	8/22/80	280.00
H. B. Shasteen	8/18/80	270.00
Paul Grant	9/3/80	250.00
Bernard A. Losching	9/8/80	300.00
Richard K. Kenney	9/11/80	270.00
PG Central Committee Md LP	9/15/80	250.00
Scott R. Bowden	10/6/80	930.00
Catherine Roland	10/8/80	1,000.00
Thelma Dixon	10/10/80	500.00
Troy G. Stafford	10/10/80	250.00
Bill Blummert	10/17/80	1,000.00
William D. Burt	11/7/80	1,000.00
Mary Lehmann	11/25/80	205.00
Total		<u>\$34,228.91</u>
Unitemized Receipts		<u>\$ 5,541.95</u>

Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee City, State</u>	<u>Date</u>	<u>Amount</u>
Clark for President (CFP)	7/2/80	\$ 750.00
Washington, D.C.	7/8/80	250.00
	7/8/80	1,000.00
	7/22/80	250.00
	8/8/80	812.56
	8/8/80	10,000.00
CFP	7/22/80	250.00
Tallahassee, Florida	8/4/80	250.00
CFP	7/22/80	1,000.00
Jacksonville, Florida	7/25/80	1,000.00
	7/30/80	1,000.00
	8/4/80	1,000.00
CFP	7/22/80	300.00
Gainesville, Florida		
CFP	7/10/80	1,000.00
Missouri	7/15/80	1,000.00
	7/17/80	500.00
	7/17/80	2,000.00
	7/24/80	600.00
	7/25/80	1,000.00
	7/30/80	750.00
	7/30/80	1,500.00
	8/4/80	2,000.00
CFP	8/4/80	1,000.00
Tampa, Florida		
CFP	7/16/80	1,000.00
Indiana	7/30/80	500.00
CFP	7/25/80	1,000.00
Nebraska		
CFP	7/3/80	500.00
Florida	7/25/80	1,000.00
CFP	7/25/80	300.00
Wyoming		

Libertarian National Committee

Schedule of Contributions Made
In Excess of the Limitation

<u>Committee</u> <u>City, State</u>	<u>Date</u>	<u>Amount</u>
CFP Georgia	7/8/80	\$ 2,000.00
	7/9/80	2,000.00
	7/10/80	2,000.00
	7/15/80	2,500.00
	7/16/80	2,000.00
CFP Texas	7/3/80	1,000.00
	7/10/80	<u>1,000.00</u>
Total		<u>\$46,012.56</u>

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Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
General Scientific Corp Gaithersburg, MD	1/17/80	\$ 100.00	4359	4/23/75
Tennessee Tree El Cajon, CA	1/21/80	5.00	5293	4/28/72
Carl Byoir & Associates Inc. New York, NY	1/24/80	3.50	26269	9/24/62
Bestway Electronics, Inc. Louisville, CO	2/3/80 10/23/80	20.00 73.62	1218 1477	7/24/69
Ancorp National Service Inc. Kansas City, MO	2/8/80	30.00	75661	5/1/62
Baruth and Associate, Inc. Crystal Lake, IL	3/16/80	20.90	2762	11/25/75
Liberty Audio & Film Service, Inc. Richmond, VA	3/20/80	704.20	2472	5/3/77
The Used Book Place, Inc. Dyer, IN	3/25/80 6/2/80 6/18/80	8.15 33.00 20.00	1862 1891 1901	9/18/78
The General Store Van Nuys, CA	4/8/80	12.00	2112	8/21/79
Sane, Inc. Washington, D.C.	4/28/80	32.50	6679	9/21/67
Cato Institute Kansas	4/3/80 4/7/80 4/17/80 10/14/80 10/30/80	785.00 400.00 100.00 274.05 655.85		12/19/74
Drayton Plains Veterinary Hospital Michigan	5/19/80	20.00	381	8/20/75
Libertarian Review Kansas	5/5/80	550.00		7/12/78

Libertarian National Committee

Schedule of Corporate Contributions Received

<u>Contributor City, State</u>	<u>Date of Contribution</u>	<u>Amount</u>	<u>Check Number</u>	<u>Date of Incorporation</u>
BGIC, Inc. Reno, Nevada	6/17/80	\$ 10.00	1170	12/30/77
Jackson and Co. (USA) Inc. Houston, TX	9/30/80	5.75		1/22/79
Samuel and Co. Altamonte Springs, FL	10/10/80	10.00	994	8/4/78
Philip T. Reinstein, LTD Chicago, IL	10/11/80	10.00	520	8/27/80
POS Services, Inc. Minneapolis, MN	12/2/80	10.00	13617	10/7/75
Financial Planning Institute Altamonte Springs, FL	12/15/80	<u>10.00</u>	781	1/12/79
	Total	<u>\$3,903.52</u>		

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: MAY 25, 1982

SUBJECT: AUDIT REFERRAL TO OGC -
Final Audit Report of the Libertarian
National Committee

250404113

The above-named final audit report was approved by the Commission on May 24, 1982 by a vote of 5-0.

In this report, the Audit staff recommended that the finding be referred to the Office of General Counsel for compliance action.

cc: Staff Director
Audit Division



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR #

1446

Date Filmed 12-5-83 Camera No. --- 3

Cameraman JRL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 1446

84040443026



Libertarian Party

GC# 1524

Paul Grant
Chair
Mary Gingell
Vice Chair
Helda Hartmann-Davis
Secretary
David Walker
Treasurer
Honey Latham
National Director

P 4:26

January 27, 1984.

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

Dear Mr. Steele:

Enclosed please find our check in the amount of \$500.00 as a partial payment of our final conciliation agreement. RE: MUR 1446.

Sincerely,

Lucia R. Toro
Accounts Payable.

enclosure.

34040443027



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Ms. Honey Lanham
Executive Director
Libertarian National Committee
7887 Katy Freeway, #385
Houston, Texas 77024

November 25, 1983 28 Nov 83
DATE RECEIVED

DUE 15 Feb 84

Ordered By _____ Verified By *HL*

Act. Pd. _____ Ck# _____ Dt _____

Entered: PayBk _____ AcctBk _____ CodeBk _____
REfiled MUR 1446

Dear Ms. Lanham:

On November 21, 1983, the Commission approved the conciliation agreement signed by you as executive director of the Libertarian National Committee. Pursuant to the agreement, the Committee must forward to the Commission a \$1,500 civil penalty within ~~thirty~~ days of the date this agreement was executed on behalf of the Commission.

The file in this matter has been closed and will become part of the public record within thirty days thereafter. 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the Respondent and the Commission. Should you wish such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement.

Sincerely,

Charles N. Steele
General Counsel

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

Enclosure
Conciliation Agreement

340404023
nity

Bank of the Southwest
713-761-0400, P.O. Box 2022, Houston, Texas 77252

LIBERTARIAN PARTY

PH. 713-686-1776
7887 KATY FREEWAY, NO. 385
HOUSTON, TEXAS 77024

1152

35-6
1130

PAY
TO THE ORDER
OF

Five hundred and 00/100

January 26 19 *84*

DOLLARS \$ *500.00*

Federal Election Commission.

MUR # 1446-*partial*

LIBERTARIAN PARTY

Honey S. Graham

84000443029



840404

Libertarian Party

National Headquarters
7887 Katy Freeway #385
Houston, Texas 77024



Federal Election Commission
1325 K. Street, N.W.
Washington, DC 20463
ATT: Mr. Charles N. Steele



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # Additional 1446

Date Filmed 2/10/84 Camera No. --- 4

Cameraman JRL