



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2594

DATE FILMED 1-25-95 CAMERA NO. 2

CAMERAMAN JMH

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NRN



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1988

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: LAROCHE DEMOCRATIC CAMPAIGN - REFERRAL OF
NEGATIVE RESPONSES TO THE CONTRIBUTOR CONFIRMATION

On March 22, 1988, the Commission voted to refer to your office for further action the negative responses to the LaRouche Democratic Campaign contributor confirmation process undertaken by the Audit Division. Of the 1062 contributors contacted, 713 responses were received, including 43 negative responses. Contributor confirmations were sent to the listed contributors whose check(s) were made payable to "L.D.C." or cases where other facial irregularities were present on the check/associated documentation. The background and discussion of the contributor confirmations are included in Agenda Document #X88-018.

As noted above, of the 713 responses received from listed contributors, 43 individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche, Jr. Attached is a list containing the name, address, contribution date(s), amount(s) and check number(s) for each of the 43 negative responses received (See Attachment 1).

If you have any questions regarding this referral, please contact Ray Lisi or Eleanor Richards at 376-5320.

Attachments:

- #1: Name, address and contribution list, LaRouche Democratic Campaign, Contributor Confirmation - Negative Responses.

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**LaRouche Democratic Campaign
Contributor Confirmation - Negative Responses**

Contributor Name/Address	Contribution Date	Contribution Amount	Check Number
Crossley, William E. 3821 N. 6th St. #2 Phoenix, AZ 85012	8/14/87 8/25/87 8/28/87	\$ 250.00 250.00 300.00	#5716 #5727 #5728
Hayhurst, Sherman 3431 Cherryland Stockton, CA 95205	10/12/87	25.00	#922
Iwamoto, Lawrence S. 605 E. Chapel Santa Maria, CA 93454	7/27/87	250.00	#1278
Hanser, Thaddeus 700 Steamboat Rd. Greenwich, CT 06830	8/20/87	50.00	#1098
Schuckie, Edith E. 167 Branford Rd. No. Branford, CT 06471	9/05/87 10/05/87	100.00 150.00	#1778 #1805
Anderson, Constance H. 420 L Mission Trail, E. Venice, FL 33595	5/12/87	1000.00	#963
Carson, Alexander E. 88 Coral St. Eustis, FL 32726	5/06/87 8/03/87	500.00 500.00	#2373 #2447
Pritz, Annie J. 325 Charlevoi Punta Gorda, FL 33950	10/29/87	1000.00	#4062
Shields, Clare E. 4212 Woodwin Court Doraville, GA 30360	9/29/87	25.00	#1096
Funkhouser, Douglas B. 3258 N. Lakewood Chicago, IL 60657	7/28/87	100.00	#1132
Lack, Joseph F. 1214 Adelheid Park Dixon, IL 61021	6/17/87	100.00	#3699

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LaRouche Democratic Campaign
Contributor Confirmation - Negative Responses

Contributor Name/Address	Contribution Date	Contribution Amount	Check Number
Redenius, Oliver 722 E. 3RD St. Gilman, IL 60938	10/06/87	\$ 50.00	#7872
Beach, Rhonda Olson 435 Central Ave, SW Le Mars, IA 51031	7/02/87	5.00	#778
Houck, George J. 2507 East 29th Street Davenport, IA 52803	11/05/87	5.00	#175
Nicholl, Lois E. 4210 Forest Ave. Des Moines, IA 50311	8/03/87	25.00	#6793
Smits, Sharon Maurice, IA 51036	9/12/87	3.00	#4555
Hammes, Debbie C. 3010 W. 40th Street Davenport, IA 52806	10/09/87	5.00	#2360
Burmeister, Raymond 910 W. Donahue Street Eldridge, IA 52748	10/09/87	5.00	#1348
Schaub, Catherine S. 605 N. 5th Place Eldridge, IA 52748	10/09/87	5.00	#848
Ketelsen, Delbert D. 706 E. 10th Muscatine, IA 52761	11/04/87	10.00	#2215
Lacey, Mary L. 2219 W. 2ND Sioux City, IA 51103	5/19/87	10.00	#1176
Rollins, Sarah W. 65 Ruggles Lane Milton, MA 02187	3/02/87	300.00	#3787
Muzzy, Deborah L. 91 Eaton Rd. West Framingham, MA 01701	7/03/87 7/15/87	50.00 50.00	#5012 #5013

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LaRouche Democratic Campaign
Contributor Confirmation - Negative Responses

Contributor Name/Address	Contribution Date	Contribution Amount	Check Number
Holzinger, Michael 8071 Westminister Warren, MI 48089	8/15/87	\$ 75.00	#161
Delorey, Diane M. 18 Sim Street Nashua, NH 03063	8/26/87	5.00	#159
Marino, Peter 53 Concord St. Nashua, NH 03060	8/25/87	5.00	#133
Stewart, Patricia RR3, Box 2, Cross Rd. Exeter, NH 03833	9/08/87	5.00	#374
Kohly, Rose 120-D Edinburgh Lane Lakewood, NJ 08701	7/01/87	250.00	#255
Radcliffe, Clara A. 105 Wilbur Rd. Bergenfield, NJ 07621	9/06/87	1000.00	#124
Beverage, Harold H. P.O. Box BX Stony Brook, NY 11790	9/29/87 10/27/87	250.00 250.00	#1443 #1485
Capua, Sylvia 76 Lyons Road Scarsdale, NY 10583	2/27/87 6/18/87 9/28/87 10/14/87	200.00 150.00 200.00 100.00	#1260 #1297 #1347 #1349
Stark, Emma E. 220 Utica Rd. Clenton, NY 13323	9/28/87 11/09/87	250.00 200.00	#4048 #4071
Weaver, Clarabelle Rt. 2 Box 148 Forest, OH 45843	8/06/87 8/31/87	100.00 150.00	#1347 #1379
Bobby, Steve 203 Bessemer Ave. Lyndora, PA 16045	3/20/87	300.00	#2362

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LaRouche Democratic Campaign
Contributor Confirmation - Negative Responses

Contributor Name/Address	Contribution Date	Contribution Amount	Check Number
Cable, Mervin D. 456 Adams St. Rochester, PA 15074	6/03/87	\$ 75.00	#125
Jenkins, Suzanne L. 3964 Forest Drive Doylestown, PA 18901	5/12/87	100.00	#115
Pisula, Patricia Lynn R.D. #3, Box 311A Mt. Pleasant, PA 15666	4/29/87	50.00	#142
Priset, Francis C. Rt. 3 Box 310 Wellsboro, PA 16901	8/03/87 10/12/87	100.00 100.00	#776 #804
Deck, William L. 1504 Loop 82, North San Marcos, TX 78666	10/04/87	100.00	#466
McGregor, Walter S. Rt. 1 Box 47 Ft. Mc Kavett, TX 76841	4/01/87	100.00	#2129
Carrington, C. Davenport 905 H Hamilton Street Richmond, VA 23221	9/05/87	250.00	#1182
Thompson, John M. 3291 Allendale St., S.W. Roanoke, VA 24014	4/27/87	1000.00	#1630
Kibler, Eleanor E. 1245 14th Avenue Fox Island, WA 98333	6/16/87	125.00	#5406

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

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88 MAY 25 AM 10:41

FIRST GENERAL COUNSEL'S REPORT

MUR # 2594
Staff Member:
Phillip L. Wise

SENSITIVE

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

RESPONDENTS: The LaRouche Democratic Campaign and
Edward Spannaus, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(b)(2)
2 U.S.C. § 434(b)(3)
26 U.S.C. § 9042(c)
11 C.F.R. § 9034.3(i)

EXECUTIVE SESSION
JUN 07 1988

INTERNAL REPORTS
CHECKED: Disclosure Reports

FEDERAL AGENCIES
CHECKED: None

I. GENERATION OF MATTER

The LaRouche Democratic Campaign ("the Committee") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process. (Attachment 1).

II. FACTUAL AND LEGAL ANALYSIS

The LaRouche Democratic Campaign submitted information to the Commission to acquire matching funds for the 1988 Presidential Election period. Contributor confirmations were sent to the contributors whose checks were made payable to "L.D.C.", or cases where other facial irregularities were present on the check/associated documentation. Seven Hundred and Thirteen

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(713) responses were received to these contributor confirmation requests. Forty Three (43) individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche. (Attachment 1(a)-1(d)). These 43 individuals were included in the list of contributors the Committee submitted to the Commission to acquire matching funds.

11 C.F.R. § 9034.3(i) defines non-matchable contributions as contributions which are made by persons without the necessary donative intent to make a gift or made for any purpose other than to influence the result of a primary election.

26 U.S.C. § 9042(c) states that it shall be "unlawful for any person knowingly and willfully to furnish any false, fictitious, or fraudulent evidence, books, or information to the Commission under this chapter, or to include in any evidence, books or information of a material fact, or to falsify or conceal any evidence, books or information relevant to a certification by the Commission or an examination and audit by the Commission under this Chapter...."

The Committee's submission of names of persons who clearly did not intend to contribute to Lyndon LaRouche's presidential campaign appears to be a violation of 2 U.S.C. § 9042(c).

2 U.S.C. § 434(b)(2) and (3) requires that political committees report the total amount of all receipts. The reporting of the receipt of funds from individuals who did not

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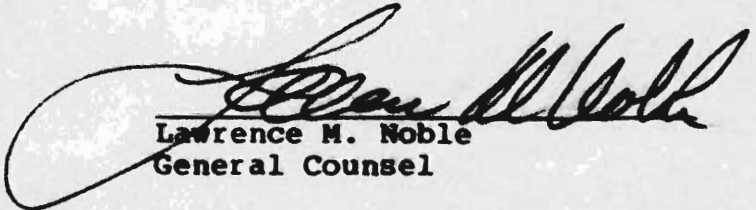
intend to make a political contribution appears to be a violation of 2 U.S.C. § 434(b)(2) and (3).

III. RECOMMENDATIONS

1. Find reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer violated 2 U.S.C. § 434(b)(2) and (3).
2. Find reason to believe that the LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c).
3. Approve the attached letter and Factual and Legal Analysis.

Date

5/25/88


Lawrence M. Noble
General Counsel

Attachments

1. Referral material
2. Proposed Letter and Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/KAREN E. TRACH *KE*
COMMISSION SECRETARY

DATE: MAY 27, 1988

SUBJECT: OBJECTION TO: MUR 2594 - First General Counsel's
Report signed May 25, 1988

The above-captioned document was circulated to the
Commission on WEDNESDAY, MAY 25, 1988, at 4:00.

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	<u> X </u>
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for JUNE 7, 1988.

Please notify us who will represent your Division before the
Commission on this matter.

5043624276

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The LaRouche Democratic Campaign and) MUR 2594
Edward Spannaus, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session of June 7, 1988,
do hereby certify that the Commission decided by a vote of
5-0 to take the following actions in MUR 2594:

1. Find reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 2 U.S.C. §§ 434(b) (2) and (3).
2. Find reason to believe that the LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c).
3. Approve the letter and Factual and Legal Analysis attached to the General Counsel's report dated May 25, 1988, subject to amendment of the Factual and Legal Analysis pursuant to the meeting discussion.

Commissioners Aikens, Elliott, Josefiak, McDonald, and
Thomas voted affirmatively for the decision; Commissioner
McGarry was not present at the time of the vote.

Attest:

6/8/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 13, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Edward Spannaus, Treasurer
The LaRouche Democratic Campaign
P.O. Box 17066
Washington, D.C. 20041

RE: MUR 2594
The LaRouche Democratic Campaign
and Edward Spannaus, as treasurer

Dear Mr. Spannaus:

On June 7, 1988, the Federal Election Commission found that there is reason to believe The LaRouche Democratic Campaign ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(b)(2) and (3) and 26 U.S.C. § 9042(c), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The 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 the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that

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Letter to Edward Spannaus, Treasurer
Page 2

pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

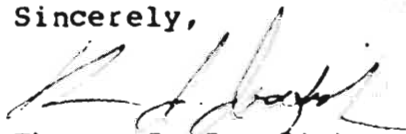
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

504362429

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: The LaRouche Democratic MUR # 2594
 Campaign and Edward
 Spannaus, as treasurer

The LaRouche Democratic Campaign ("the Committee") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process.

Contributor confirmations were sent to the contributors whose checks were made payable to "L.D.C.", or cases where other facial irregularities were present on the check/associated documentation. Seven Hundred and Thirteen (713) responses were received to these contributor confirmation requests. Forty Three (43) individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche. These 43 individuals were included in the list of contributors the Committee submitted to the Commission to acquire matching funds. 11 C.F.R. § 9034.3(i) defines non-matchable contributions as contributions which are made by persons without the necessary donative intent to make a gift or made for any purpose other than to influence the result of a primary election.

26 U.S.C. § 9042(c) states that it shall be "unlawful for any person knowingly and willfully to furnish any false, fictitious, or fraudulent evidence, books, or information to the Commission under this chapter, or to include in any evidence, books or information of a material fact, or to falsify or conceal

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any evidence, books or information relevant to a certification by the Commission or an examination and audit by the Commission under this Chapter...."

The LaRouche Democratic Campaign submitted information to the Commission to acquire matching funds, which included the names of those who had not intended on contributing to Lyndon LaRouche's presidential campaign. Thus, the inclusion of the names of these individuals appears to be a violation of 26 U.S.C. § 9042(c).

2 U.S.C. § 434(b)(2) and (3) requires that political committees report all receipts. The reporting of the receipt of funds as contributions from individuals who did not intend to make a political contribution appears to be a violation of 2 U.S.C. § 434(b)(2) and (3).

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6CC#9668

LAW OFFICE OF
RICHARD MAYBERRY & ASSOCIATES
SUITE 202
1055 THOMAS JEFFERSON ST., N.W.
WASHINGTON, D. C. 20007
(202) 337-4172

July 1, 1988

By Hand

Thomas Whitehead, Esquire
Assistant General Counsel
Enforcement Division
Office of the General Counsel
Federal Election Commission
999 E Street, NW, Sixth Floor
Washington, D.C. 20463

Re: MUR 2594
The LaRouche Democratic Campaign
and Edward Spannaus, as Treasurer

Dear Mr. Whitehead:

On behalf of our clients, we request pre-probable cause conciliation in the above-referenced matter. The Federal Election Commission has found reason to believe that the LaRouche Democratic Campaign ("the Committee") and Edward Spannaus, as Treasurer, violated 2 U.S.C. §434(b)(2)(3) and 26 U.S.C. §9042(c). The finding is based upon allegations that 43 individual contributors indicated that they had not intended to make contributions to further Mr. LaRouche's presidential campaign. The checks had been voluntarily submitted by the Committee to the Commission to acquire matching funds.

Background

Mr. LaRouche is currently a candidate for the Democratic Party nomination for President. The Committee is Mr. LaRouche's principal campaign committee. In the course of the campaign, the Committee submitted on November 18, 1987, contributions from 1693 individuals to qualify for and receive primary matching funds. The Office of General Counsel, noting Matters Under Review had arisen in past elections with Mr. LaRouche, and noting a number of checks in the November 18, 1987 initial submission did not use the

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full name of the Committee as payee, recommended (per its December 24, 1987 Memorandum) to the Commission that Mr. LaRouche be found to have failed to establish his eligibility to receive presidential primary matching funds unless certain conditions were met. Specifically sought were assurances from the candidate and treasurer of meeting their obligations under the Campaign Act and agreement to an Audit Department review ("the confirmation process") to ensure the contributions submitted for matching funds were intended to be contributions to the Committee.

The Committee voluntarily agreed in principle to meet the concerns of the Commission staff. Negotiations were undertaken with the Committee's representatives to work out an agreement that would be satisfactory to the Commission concerning the content of the affidavits from the candidate and Treasurer and the format of the Audit Department's confirmation of intent letter for checks made payable to "L.D.C." or which, according to Commission staff, display "other facial irregularities".

On the basis of an agreement with FEC staff, Mr. LaRouche and Mr. Spannaus, the Committee treasurer, executed sworn affidavits to comply with all applicable laws, maintain appropriate records and file all reports required by law. In addition, the Committee agreed to a confirmation process in which approximately 1,000 contributors would be contacted by the Commission to determine their donative intent. Seven hundred and thirteen (713) contributors responded to the audit letters. Approximately 43 contributors of the approximate 1,000 contributors contacted responded in a way that the Commission staff did not believe was consistent with intent to donate a contribution to Mr. LaRouche's campaign. To date, these 43 responses have not been made available to counsel, the Committee or the Treasurer. The 43 checks form the factual basis for this MUR charging the Committee and its treasurer with "knowing and willful" submission to the Commission of false or fraudulent information, and inaccurate reporting. See 2 U.S.C. §434(b)(2)(3) and 26 U.S.C. § 9042(c).

Discussion

As a preface, the Committee requests reasonable access to review the 43 responses. Until such a review, the Committee cannot competently submit relevant factual or legal materials in this matter. Nevertheless, we

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concurrently request pre-probable cause conciliation in order to resolve this matter (with a review of the 43 responses) without additional allocation of resources by the Commission or the Committee. Pre-probable cause conciliation appears appropriate under these circumstances:

1. Further investigation is not necessary in this matter. The Commission has already undertaken a major audit of the threshold submission in the confirmation process. Over 1000 contributors have been contacted. It is unlikely that additional discovery of the 43 individuals would disclose new or relevant evidence. The Committee foresaw the exacting scrutiny their submission would be subject to and cooperated fully and voluntarily with the Commission in the confirmation process. After this extensive review, the Commission found the Committee eligible to receive matching funds. Further, as a condition for receipt of matching funds thereafter, the Committee agreed to a 100% holdback and review of each subsequent submission. The Commission Audit staff has thus reviewed each subsequent submission prior to the release of any funds to the Committee. These are not the actions of a political committee involved in fraud.

2. It is implicit that every political committee endeavors to ensure that each contribution solicited would be lawful and bear the requisite donor intent. The Committee is mindful that a single contribution without such intent might constitute a Campaign Act violation. It would be, however, inappropriate for the Committee to comment on the presence or absence of donative intent or posit any alternative explanation without having seen the underlying documentation.

The basic solicitation of the Committee's contributor's were undertaken by volunteers. Although the Committee believes the volunteers used their best efforts, even in the best of circumstances, volunteers are hard to manage with 100% precision in compliance with all the provisions of the Campaign Act. Past Commission reviews of presidential submissions for matching funds (such as the Jackson presidential campaign of 1976) have found transgressions.

Accordingly, 43 negative responses in relation to the more than 1000 contributors contacted, a ratio of 4%, or in relation to the total contributors whose checks were presented for the threshold submission (1693 contributors or 2%) is not disproportionately high.

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In fact, the Commission did not find it to show a pattern of fraud or illegality. Pre-probable cause conciliation concerning the 43 contributors would be just and fair.

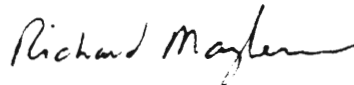
3. The Commission charges in one count allege a "knowing and willful" submission of false information. The history of interaction between the Commission and the Committee have been such that any 1987-1988 questionable contributions would be closely reviewed. It's clear that the Committee could reasonably foresee close scrutiny by the Audit Department of the contributions initially upon their submission and in the final audit of the Committee's records. Yet, the Committee made an informed decision to submit the contributions. It is, at best, a remote probability that anyone would intentionally submit erroneous information to the Commission in these circumstances, especially in light of both civil and criminal penalties for violations. If there is a violation, it clearly is not a willful or knowing offense.

Conclusion

We therefore request pre-probable cause conciliation and an immediate review of the 43 checks and respective responses which gave rise to this MUR.

We look forward to your response to this request for pre-probable cause conciliation.

Sincerely,



Richard Mayberry

RM:rjy:LaR/C-2

cc: Edward Spannaus

GCC #9593

LAW OFFICE OF
RICHARD MAYBERRY & ASSOCIATES
SUITE 202
1055 THOMAS JEFFERSON ST., N.W.
WASHINGTON, D. C. 20007
(202) 397-4172

June 22, 1988

By Messenger

Phillip L. Wise, Esquire
Federal Election Commission
Office of the General Counsel
999 E Street, NW
Sixth Floor
Washington, D.C. 20463

Re: MUR 2594

Dear Mr. Wise:

You will find enclosed a Statement of Designation of Counsel in the above-referenced matter. Please direct all future communications to this office.

Very truly yours,

Richard Mayberry

Richard Mayberry

RM:rjy:FU/C-2
Enclosure

cc: Mary Jane Freeman

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FEDERAL ELECTION COMMISSION

5043624246

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2594

NAME OF COUNSEL: Richard Mayberry

ADDRESS: 1055 Thomas Jefferson Ste. 202
Washington, D.C. 20007

TELEPHONE: 202) 337-4172

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.

6/20/88
Date

Edwin Spear
Signature

RESPONDENT'S NAME: LaRouche Democratic Campaign

ADDRESS: P.O. Box 17068
Washington, D.C. 20041

HOME PHONE: _____

BUSINESS PHONE: _____

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RECEIVED
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88 OCT 16 AM 9:00

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ELECTION COMMISSION

In the Matter of)
)
)

The LaRouche Democratic Campaign)
and Edward Spannaus, as Treasurer.)
)
)

Matter Under Review 2594

TO: Thomas Whitehead, Esquire
Federal Election Commission

NOTICE OF CHANGE OF ADDRESS

Please take notice that the address and telephone number of
Richard Mayberry, Counsel for The LaRouche Democratic Campaign and
Edward Spannaus, as Treasurer, are now as follows:

Richard Mayberry
RICHARD MAYBERRY & ASSOCIATES
888 16th Street, NW
Fifth Floor
Washington, D.C. 20006
(202) 785-6677

All communications should be directed to the new office.

Respectfully submitted,

October 13, 1988

DATE

Richard Mayberry

Richard Mayberry

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STATEMENT OF DESIGNATION OF COUNSEL

08 JUL -5 PM 1:

NUR 2594
NAME OF COUNSEL: ODIN ANDERSON
ADDRESS: ANDERSON & ASSOC.
ONE LONGFELLOW PLACE
BOSTON, MA 02114
TELEPHONE: (617) 742-8200

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.

6/24/88
Date

Edwin Sp...
Signature

RESPONDENT'S NAME: LAROCHE DEMOCRATIC CAMPAIGN
ADDRESS: P.O. Box 17066
Washington, D.C. 20041

HOME PHONE: _____
BUSINESS PHONE: _____

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BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
The LaRouche Democratic Campaign) MUR 2594
and Edward Spannaus, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The LaRouche Democratic Campaign ("the Committee") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process. The Committee submitted information to the Commission to acquire matching funds for the 1988 Presidential Election period. Contributor confirmations were sent to the contributors whose checks were made payable to "L.D.C.", or in cases where other facial irregularities were present on the check/associated documentation. Seven Hundred and Thirteen (713) responses were received to these contributor confirmation requests. Forty three (43) individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche. These 43 individuals were included in the list of contributors the Committee submitted to the Commission to acquire matching funds.^{1/}

On June 7, 1988, the Commission found reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer violated 2 U.S.C. § 434(b)(2) and (3), and 26 U.S.C.

^{1/} The Committee received no "matching funds" with regard to the 43 individuals.

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
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88 NOV 21 AM 11:02

In the Matter of)
The LaRouche Democratic Campaign)
and Edward Spannaus, as treasurer)

MUR 2594

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The LaRouche Democratic Campaign ("the Committee") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process. The Committee submitted information to the Commission to acquire matching funds for the 1988 Presidential Election period. Contributor confirmations were sent to the contributors whose checks were made payable to "L.D.C.", or in cases where other facial irregularities were present on the check/associated documentation. Seven Hundred and Thirteen (713) responses were received to these contributor confirmation requests. Forty three (43) individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche. These 43 individuals were included in the list of contributors the Committee submitted to the Commission to acquire matching funds.^{1/}

On June 7, 1988, the Commission found reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer violated 2 U.S.C. § 434(b)(2) and (3), and 26 U.S.C.

^{1/} The Committee received no "matching funds" with regard to the 43 individuals.

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§ 9042(c). The Committee received notification of the Commission's finding on June 17, 1988. On July 1, 1988, the Committee, through Counsel, requested pre-probable cause conciliation. (Attachment 1.).

II. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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IV. RECOMMENDATIONS

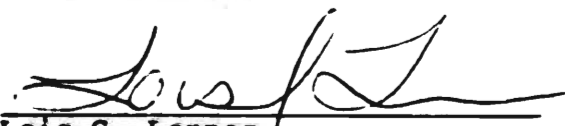
1. Enter into conciliation with The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Lawrence M. Noble
General Counsel

Date

11/5/88

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Request for conciliation
2. Proposed conciliation agreement and letter

Staff Assigned: Phillip L. Wise



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN
COMMISSION SECRETARY

DATE: NOVEMBER 23, 1988

SUBJECT: OBJECTION TO MUR 2594 - General Counsel's Report
Signed November 18, 1988

The above-captioned document was circulated to the
Commission on Monday, November 21, 1988 at 4:00 p.m..

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda
for December 1, 1988.

Please notify us who will represent your Division before the
Commission on this matter.

5043624254

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The LaRouche Democratic Campaign) MUR 2594
and Edward Spannaus, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 30, 1988, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MUR 2594:

1. Enter into conciliation with The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, prior to a finding of probable cause.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's report dated November 18, 1988, subject to amendment of Section IX at the top of page three of the agreement to read 2 U.S.C. § 437g(a)(5)(B).

Commissioners Aikens, Elliott, McDonald, and McGarry voted affirmatively for the decision; Commissioners Josefiak and Thomas were not present at the time of the vote.

Attest:

12/2/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Corrected 12/6/88
WUE

5043624255



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

December 9, 1988

Richard Mayberry, Esquire
888 16th Street, NW
Fifth Floor
Washington, D.C. 20006

RE: MUR 2594
The LaRouche Democratic
Campaign and Edward
Spannaus, as treasurer

Dear Mr. Mayberry:

On June 7, 1988, the Federal Election Commission found reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 2 U.S.C. § 434(b)(2) and (3) and 26 U.S.C. § 9042(c). At your request, on November 30, 1988, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

5043624256

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The LaRouche Democratic Campaign) MUR 2594
and Edward Spannaus, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, based on the assessment of the information presently available.

Date

11/6/90

LM Noble (197)
Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION COMMISSION
SECRETARY

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SENSITIVE

November 15, 1990

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
SUBJECT: MUR 2594

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe were mailed on November 15, 1990. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to respondent

5043624258



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 15, 1990

Richard Mayberry, Esq.
888 - 16th Street, N.W.
Fifth Floor
Washington, D.C. 20006

Re: MUR 2594
The LaRouche Democratic
Campaign and Edward Spannaus,
as treasurer

Dear Mr. Mayberry:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on June 7, 1988, the Federal Election Commission found reason to believe that your clients, violated 2 U.S.C. § 434(b)(2) and (3), and 26 U.S.C. § 9042(c), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

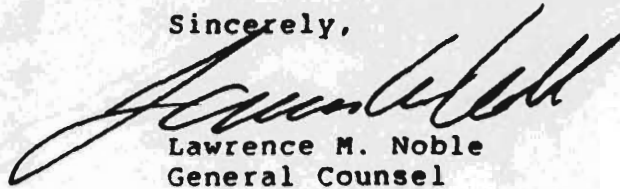
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

5043624209

Richard Mayberry
Page 2.

Should you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

5043624260

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The LaRouche Democratic Campaign) MUR 2594
and Edward Spannaus, as treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

5043624261
The LaRouche Democratic Campaign ("the Committee") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process. The Committee submitted information to the Commission to acquire matching funds for the 1988 Presidential Election period. Contributor confirmations were sent to the contributors whose checks were made payable to "L.D.C." or in cases where other facial irregularities were present on the check or associated documentation. Seven Hundred and Thirteen (713) responses were received to these contributor confirmation requests. Forty three (43) individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche.¹ These 43 individuals were included in the list of contributors the Committee submitted to the Commission to acquire matching funds.²

Many of the responses included unsolicited written comments wherein the individuals described instances where he or she (1)

1. The total amount received from the forty three (43) individuals was \$10,613.

2. The Committee received no "matching funds" with regard to the 43 individuals.

felt pressured into making a contribution, (2) made contributions believing that the contribution was for a specific purpose other than furthering Lyndon H. LaRouche Jr.'s 1988 presidential nomination campaign, or (3) had contributed to a number of LaRouche's interests, while making all checks payable to LDC.

"Not Contribution" Responses

Several confirmations received from those individuals who indicated that they had not made contributions to further Lyndon H. LaRouche Jr.'s 1988 presidential nomination campaign included comments which are divided into three categories and are presented below.

1. Comments received from individuals indicating that they were pressured into making a contribution.

I had no intention of contributing. In fact, I didn't even know it was for a candidate until I was writing out the check. I was even going to cancel the check because of the pressure that was used to give a donation. Their opening line was "Do you want to help fight AIDS." And they would not take no for an answer.

I gave the \$3.00 to cover the material given me - the person who was here in regards to this material was very high pressured and obnoxious. I wanted to get rid of him!
[Emphasis in original].

2. Several individuals commented that they believed that they were making contributions for specific purposes other than furthering Mr. LaRouche's presidential campaign.

I contributed money for specific cause being that of Aides [sic] research.

My cheque was for Proposition 64 of California. The fight against A.I.D.S. to be used for advertisement.

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The donation was to hire a lawyer to get one of their cohorts, out of jail. Telephone call saying he was unjustly accused.

The solicitor who contacted me in regards to this contribution led me to believe that the contribution was for worthwhile charitable organizations and not related to Mr. LaRouche's political aspirations. [Emphasis in original].

I thought I was paying for EIR publication.

I was under the impression that I was subscribing to the EIR magazine...

I do not chose to make a contribution to Mr. LaRouche's campaign for President. I take EIR for information only...

3. Other individuals commented that they were not aware of the purpose of their donation.

The man said he could not leave any literature on LaRouche without a donation. ... I did not know that the money was going toward his campaign.

My understanding, I was not making contributions to the LaRouche campaign. [Emphasis in original].

My father was and is upset with LaRouche and his people. They lied to him and have not returned the loan made in good faith. The other stock was processed so fast the attorney was unable to keep it for him. I wrote letters to the Fusion Energy Foundation in 1987, all returned, address unknown.

In addition to the receipt of confirmation letters, the Commission also received telephone calls from individuals who had received confirmation letters. These individuals, some of whom also returned confirmations, related that they had made

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contributions under circumstances similar to those described above.

Individuals indicated that "LDC" is used in raising funds for purposes other than Mr. LaRouche's 1988 presidential nomination. Excerpts from the telephone conversation log are as follows.

He (the caller) said that he had made numerous checks to LaRouche organizations for different purposes but to his knowledge he was always asked to make the checks payable to LDC.

He (the caller) then went on to say that he did make the contributions specified in the letter. But not for Lyndon LaRouche's 1988 Pres. Election. He said there were other reasons for making them.

He (the caller) said he didn't know if he contributed to LaRouche when he wrote the check. David (the solicitor) talked to him for more than 1 hour and discussed AIDS, Communism and other things and told him to make the check payable to "LDC". He said that he "really made the contribution for David."

She (the caller) told me that her friend thought that the money was going for AIDS and not for LaRouche's campaign.

On June 7, 1988, the Commission found reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 2 U.S.C. § 434(b)(2) and (3), and 26 U.S.C. § 9042(c).

II. ANALYSIS

Non-matchable contributions are defined as contributions which are made by persons without the necessary donative intent to make a gift or made for any purpose other than to influence

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the result of a primary election. 11 C.F.R. § 9034.3(1).

Pursuant to 26 U.S.C. § 9042(c), it shall be "unlawful for any person knowingly and willfully to furnish any false, fictitious, or fraudulent evidence, books, or information to the Commission under this chapter, or to include in any evidence, books or information of a material fact, or to falsify or conceal any evidence relevant to a certification by the Commission or an examination and audit by the Commission...."

The Committee's willful submission of names of persons which it clearly knew did not intend to contribute to Lyndon LaRouche's presidential campaign is a violation of 2 U.S.C. § 9042(c).³

The legislative history of the 1976 amendments, to the Act, indicated that Congress intended that there be a fundamental distinction between "knowing" violations of the law and "knowing and willful" violations. 122 Cong. Rec. H3778 (daily ed. May 3,

3. We note that the Commission's jurisdiction is limited to civil, not criminal, enforcement of Chapter 96 of Title 26. See 2 U.S.C. § 437c(b)(1). Moreover, although Section 9042 of Title 26 is denominated "Criminal penalties", there is legal support for pursuing civil enforcement on these provisions. See Glenn Presidential Committee Inc. v. FEC, 822 F.2d 1097 (D.C. Cir. 1987). In the Federal Election Commission v. National Conservative Political Action Committee Et Al., 470 U.S. 480, the court held: If the FEC, "upon receiving a complaint...or on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, determines...that it has reason to believe that a person has committed, or is about to commit, a violation [of the Fund Act]," § 437g(a)(2), it is obligated to investigate and, if it finds "probable cause to believe that any person has committed, or is about to commit, a violation," to pursue various corrective and enforcement steps, which can ultimately involve civil...proceedings in district court.

1976) (remarks of Congressman Hays). Mr. Hays' explanation of the phrase is a reflection of the House Report (No. 94-917). H.R. Rep. No. 94-917, 94th Cong. 2d Sess. 3-4 (1976). Thus, there are two distinct standards: a "knowing and willful" one, where there is knowledge that the action involved is in violation of the law; and a "knowing" standard, where no such knowledge is necessary.

The legislative history of the 1979 amendments to the Act also addressed the "knowing and willful" standard. The Committee on House Administration deleted the requirement in the Act that the Commission make a finding of "clear and convincing proof". The Committee intent was not to reduce the standard for a knowing and willful violation. "Rather, it did not think the "clear and convincing proof" element was meaningful." Thus, the reference to "clear and convincing proof" was deleted as unnecessary. H.R. Rep. No. 96-422, 96th Cong., 1st Sess., 22 (1979).

2 U.S.C. §§ 434(b)(2) and (3) requires that political committees report the total amount of all receipts. The knowing and willful submission of names of persons who clearly did not intend to contribute to Lyndon LaRouche's presidential campaign was the conduct which resulted in a violation of 26 U.S.C. § 9042(c). This conduct was also the basis of the reporting violations. In addition, Respondents furnished this report to the Commission with full knowledge that it incorrectly reported the total amount of all receipts. Therefore, the Respondents knowingly and willfully reported the receipt of

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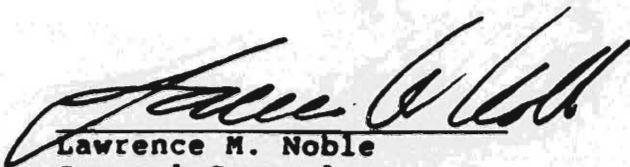
funds as contributions from individuals who clearly did not intend to make a political contribution. This false reporting is a knowing and willful violation of 2 U.S.C. §§ 434(b)(2) and (3).

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c) and knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3)

Date

11/15/90


Lawrence M. Noble
General Counsel

5043624267

OGC 8748

LAW OFFICE OF
RICHARD MAYBERRY & ASSOCIATES
FIFTH FLOOR
888 16TH STREET, N.W.
WASHINGTON, D.C. 20006
(202) 785-6677

November 27, 1990

BY HAND

Phillip L. Wise, Esq.
Federal Election Commission
999 E Street, NW, Sixth Floor
Washington, DC 20463

Re: MUR 2594

Dear Mr. Wise:

On behalf of my client, I request a 20-day extension of time to file a brief stating our position on the issues in this matter. The issues on civil enforcement of criminal provisions are complex in this case and require additional research to properly respond. Also, my client, Mr. Spannaus, is currently incarcerated in a federal correctional institution, so that additional time is needed to communicate with him. Moreover, I have been on leave with the Thanksgiving holiday. For these reasons, I respectfully request an extension of time.

Very truly yours,

Richard Mayberry

Richard Mayberry

RM:cgk

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OFFICE OF LEGAL COUNSEL
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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 30, 1990

Richard Mayberry, Esq.
888 - 16th Street, N.W.
Fifth Floor
Washington, D.C. 20006

Re: MUR 2594
The LaRouche Democratic
Campaign and Edward Spannaus,
as treasurer

Dear Mr. Mayberry:

This is in response to your letter dated November 27, 1990, which we received on November 27, 1990, requesting an extension of 20 days to respond to the General Counsel's Brief. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on December 20, 1990.

If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY:

Lois G. Berner
Associate General Counsel

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OGC 9066

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2594
The LaRouche Democratic Campaign)
and Edward Spannaus, as treasurer)

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

BRIEF IN OPPOSITION TO GENERAL COUNSEL'S BRIEF

INTRODUCTION

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On November 15, 1990, the General Counsel issued a brief for consideration by the Commission in which it recommends that the Commission find probable cause to believe that The LaRouche Democratic Campaign (the "Committee") and Edward Spannaus, as treasurer, violated 26 U.S.C Section 9042(c), and knowingly and willfully violated 2 U.S.C. Sections 434(b)(2) and (3), in connection with the reporting of contributions to the 1988 presidential primary campaign of Lyndon H. LaRouche, Jr. This brief is submitted on behalf of the Committee and Mr. Spannaus to reply to the General Counsel's arguments and to oppose its recommendation that the Commission find probable cause in this matter.

COUNTER-STATEMENT OF THE CASE

In the course of Mr. LaRouche's 1988 campaign, the Committee submitted to the Commission contributions from 1,693 individuals to qualify for and receive primary matching funds. In a December 4, 1987, memorandum, which was released to the press, the Office of General Counsel recommended to the Commission that Mr. LaRouche be found ineligible to receive

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matching funds at that time, based principally on three concerns: 1) a number of the checks submitted had notations in the memo section, such as "AIDs" or "SDI" or "War on Drugs"; 2) many persons did not use the full name of the Committee as payee but only wrote out the initials "LDC"; and 3) the alleged "historical and pervasive pattern of fraud and abuse" by past LaRouche campaigns. Shortly thereafter, media wire services carried reports in which they quoted from the General Counsel's recommendation, and some contributors were contacted by reporters about their contributions. (See, Exhibit 1.)

As a result of the General Counsel's recommendation, a series of meetings were held between Commission staff and representatives of the Committee to discuss the Audit Division and General Counsel's concerns. Following these meetings, an agreement was reached in which the Committee agreed to 1) submit affidavits from the treasurer and candidate, and 2) allow the Commission to conduct a contribution verification of the approximately 1,000 checks, out of 1693 submitted, which were made payable to "LDC", contained the notation "AIDS", or appeared to have altered payees. After the Commission authorized the contribution verification procedure, form letters were sent to the contributors who wrote the approximately 1,000 checks at issue.

In response to these letters, 713 replies were received by the Commission, and according to Commission staff, forty three (43) individuals indicated that they had not intended to make

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contributions to further the presidential campaign of Mr. LaRouche. Thus, 670 out of the 713 who responded confirmed their intention to contribute to the campaign of Mr. LaRouche. After the contributor verification process was completed, the Commission approved the Committee's eligibility for matching funds. Although the responses were not, and have never been, made available to the Committee or their counsel, in accordance with the above-referenced agreement the Committee did not receive matching funds with respect to those contributions from the 43 individuals.

It is these 43 responses that form the basis for the General Counsel's recommendation that the Commission find probable cause to believe that the Committee and Mr. Spannaus committed knowing and willful violations of the federal campaign laws.

ARGUMENT

The essence of the General Counsel's argument is that the Committee and Mr. Spannaus knowingly and willfully violated campaign laws by submitting the names of 43 persons to the Commission as contributors when they "clearly knew" that these persons did not intend to contribute to Mr. LaRouche's presidential campaign, and thus also knowingly misstated the total amount of receipts in their reports. While the Committee's ability to respond to the General Counsel's arguments continues to be hampered by the Commission's refusal to allow the Committee to review the 43 checks and the

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corresponding responses and other evidence in the Commission's possession, the absurdity of the General Counsel's position is clear enough on its face to warrant rejection of its recommendation for a finding of probable cause. Not even the Commission could deem 43 out of a total of 713 responses (let alone out of a total submission of 1693) to constitute a pattern or policy of fraud or mismanagement, and thus the Commission went on to certify eligibility for matching funds.

I. The General Counsel's Evidence

First of all, now that the matter has reached the stage where the Commission is being asked to make a finding that there is probable cause to believe that knowing and willful violations have occurred, it violates all notions of due process, as well as the spirit of the FECA and the corresponding regulations, to withhold the relevant evidence from the Committee. Conciliation agreements are an important part of the regulatory scheme, with the FECA mandating conciliation attempts after a finding of probable cause, 2 U.S.C. Section 437g(a)(4)(A), and the regulations providing for pre-probable cause conciliation. 11 C.F.R. Section 111.18. However, without access to the basic information upon which the alleged violations are based, it is impossible for the Committee to make an informed decision on conciliation.

The importance of access to the information at issue is heightened by the manner in which the General Counsel has utilized the alleged evidence in its brief. In that

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submission, the General Counsel sets forth excerpts allegedly taken from contributor responses and telephone conversations with contributors. However, there is no way for the Committee to determine whether the excerpts were taken out of context, and whether they each represent a different individual or whether several excerpts are from the same individual. Furthermore, on their face several of the excerpts are based on multiple hearsay, such as a caller stating "that her friend thought that the money was going for AIDS and not for LaRouche's campaign." (G.C. Brief at 4). It is difficult to imagine that Congress, in enacting the FECA, could have required that for a complaint-generated matter the complaint must be in writing and sworn to under the pains and penalties of perjury before the Commission could pursue it, yet could have intended that the Commission, on an internally-generated MUR, would be able to make a finding of probable cause to believe that a knowing and willful violation (a criminal standard) had occurred, based on multiple hearsay.

As set forth above, the General Counsel's insinuations of fraudulent activity on the part of the campaign were well-disseminated in the media prior to the initiation of the contributor verification process, and several contributors were contacted by reporters. Thus, there is no way, particularly without disclosure of the relevant names and responses, for the Committee to prove that some of the 43 alleged negative responses were from contributors who in fact had intended to

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contribute, but had changed their minds, or altered their memories in the intervening time, on the basis of the negative publicity.

In addition, a review of several of the excerpts set forth by the General Counsel, which are presumably its strongest pieces of evidence, serves to underscore the weakness of its case. For example, one of the callers allegedly said that "he didn't know if he contributed to LaRouche when he wrote the check", which came after a long discussion about AIDS and other subjects with the solicitor (G.C. Brief at 4), while another individual replied that "I contributed money for specific cause being that of Aides [sic] research." (G.C. Brief at 2.) Given that Mr. LaRouche declared his very candidacy due to the AIDS crisis and made that one of his principal issues, it would not be surprising to find some confusion in the mind of a contributor who may have in fact also written a check at another time to an organization fighting AIDS or to some other organization run by supporters of Mr. LaRouche, when asked about his contribution many months later. (See, Exhibit 2.)

Truly telling of the weakness of this alleged evidence is the following purported quote: "My father was and is upset with LaRouche and his people. They lied to him and have not returned the loan made in good faith. ... I wrote letters to the Fusion Energy Foundation ... all returned address unknown." (G.C. Brief at 3.) According to this excerpt, which

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is multiple hearsay, the person related that the presumed donor, the father, is "upset" about a loan apparently given to a scientific foundation which was shut down by the U.S. government in an involuntary bankruptcy action, an action which has subsequently been found to have been initiated in "bad faith" by the government. It is highly likely that in this instance the "upset" someone felt about one circumstance was been generalized to the campaign. This is precisely the type of evidence that must be submitted to an adversarial examination.

II. There Is No Evidence
To Support Knowing And Willful Violations

- A. Civil enforcement of 26 U.S.C Section 9042(c) is not permissible.

The General Counsel contends that the Committee's actions constitute a violation of 26 U.S.C. Section 9042(c). While recognizing that the Commission's jurisdiction is limited to civil enforcement, and that Section 9042 of Title 26 is denominated "Criminal penalties", the General Counsel nevertheless states that there is legal support for pursuing civil enforcement of those provisions, citing two cases. (G.C. Brief at 5 n.3.) Neither case cited by the General Counsel was an enforcement action or in any way dealt with the issue raised by the General Counsel.

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Under 2 U.S.C. Section 437c(b)(1), the Commission has "exclusive jurisdiction with respect to the civil enforcement" of the FECA and chapters 95 and 96 of the IRS Code, and has the authority to initiate civil actions to enforce those provisions. 2 U.S.C. Section 437d(a)(6). Pursuant to the enforcement provisions of the FECA, the Commission may seek civil relief, including civil penalties, for violations of those provisions. In such an action, if a violation of any of those provisions is shown, the court may order civil penalties not to exceed \$5,000 or the amount of the contribution or expenditure involved. However, if the court determines that a knowing and willful violation of any of those provisions has been committed, the amount of the penalty may be as great as \$10,000 or twice the amount of the contribution or expenditure involved.

Chapter 96 of the IRS Code (Sections 9031 to 9042) sets forth the scheme for the payment of matching funds during the primary phase of a presidential campaign to candidates that qualify, and contains several sections that set forth matters such as criteria to determine eligibility, the general procedures to be followed, and expenditure limitations. Section 9042, however, is different from the remainder of the chapter, in that it does nothing more than set forth criminal penalties for certain unlawful acts committed in connection with the matching fund process, including violations of other provisions of that chapter.

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Unlike Section 9042(a), which provides for criminal penalties for violations of another section of Chapter 96 (Section 9035), Section 9042(c) does not incorporate any other section of the chapter, but rather criminalizes certain activities specified in that subsection. There is nothing in the statutory scheme to indicate that activity that is mentioned nowhere except in a section entitled "criminal penalties" can be the basis for a civil violation. If Congress had intended this to be the case as to subsection (c), it could have specifically mentioned a civil component therein, as it did in subsection (d) of that section, which cites to section 9037 (dealing with payment to eligible candidates).

This interpretation is strengthened by the way the FECA's enforcement scheme is structured. As noted above, in a civil action brought by the Commission, the maximum amount of the possible civil penalty that can be ordered is increased if the court finds that a knowing and willful violation of the FECA or of Chapter 95 or 96 has been committed. However, since 26 U.S.C. Section 9042(c) itself makes only knowing and willful actions unlawful, it would be anomalous to find that the civil enforcement provisions of the FECA, with its two-tiered system of maximum penalties, applies to this subsection.

B. Sufficiency of the evidence as to willfulness.

There is no evidence that the OGC or the Commission has taken into account that LDC and Spannaus deny that they have committed any civil violation or crime. (See, pg. 1, June 21, 1989, Response.) The allegations and arguments presented in

the General Counsel's brief are exactly the same as they were when the MUR was first opened.

As set forth above, the lack of access to the underlying evidence severely hampers the Committee's ability to contest the facts of the 43 instances in which contributions were allegedly improperly reported to the Commission. However, even without having access to that information, it is clear that there is absolutely no basis to charge a knowing and willful violation of the statutes in question.

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The evidence shows that contributor confirmation forms were sent to approximately 1,000 individuals, that 713 responded, and that according to Commission staff only 43 of these responses, or 4% of the contributors contacted, were allegedly negative. It is also undisputed that confirmation was requested only from those contributors whose checks were either made payable to "LDC" or had other facial indications that the Commission staff considered suspicious. Nonetheless, based on this the General Counsel's brief makes the absurd statement that the Committee "clearly knew" that these 43 individuals did not intend to contribute to Mr. LaRouche's campaign.

It would be ludicrous to argue that the mere fact that a check is made out to "LDC", or that it contains a notation of some type on the bottom, would indicate to the treasurer or other Committee representative submitting the check to the Commission that the contributor might not have intended to

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contribute to the campaign. In fact, such an argument is belied by the fact that the overwhelming majority of checks made out in such a way were confirmed as valid to the satisfaction of the Commission. Thus, the evidence would not even support a finding against the Committee and its treasurer under a negligence standard - i.e., that they should have known that the 43 checks did not in fact represent a legitimate contribution - let alone a finding under a criminal standard of "willfully and knowingly." Likewise, such an argument is belied by the fact that the FEC Audit Staff similarly could not determine the intent of a donor by the face of the check. It should be obvious, that by continuing to deny the Committee access to the alleged evidence, thus preventing it from effectively presenting any rebuttal to the alleged evidence, the Commission simultaneously denies itself the ability to evaluate the reliability of said evidence.

Pursuant to the FECA, the treasurer was required to report all receipts to the Commission, 2 U.S.C. Section 434 (b). If he had not reported those 43 checks, which on their face appeared to be valid, the Committee and its treasurer could have been charged with a reporting violation. However, by dutifully reporting those checks, they are now being charged with violations that carry substantial penalties, and which could subject them to criminal liability.

Although he does not state so in his brief, it is possible that the General Counsel might attempt to argue that the Committee and Mr. Spannaus are liable on some type of vicarious liability theory, claiming that the various volunteer

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solicitors who obtained the 43 checks knew that the respective individuals did not intend to contribute to the campaign, and that such knowledge is imputed to the Committee and Mr. Spannaus. (It should be noted, however, that there also is no evidence that any solicitor had knowledge of this sort.)

Whatever validity such a vicarious liability theory might have in other areas of law, it can have no place in the present situation where what is being alleged are reporting violations. It is the treasurer or his representative, not the solicitor, that makes the submissions to the Commission, and to hold the Committee or the treasurer liable for a knowing and willful reporting violation would require a consideration of the state of mind of those who submit the reports, not those who solicited the money. There is simply no basis to find any wrongful intent on the part of the Committee or its treasurer based on the facts presented.

It is important that the Commission consider how the evidence concerning the 43 alleged negative responses was obtained by its staff. As set forth above, the Committee entered into an unprecedented agreement whereby approximately 60% of all contributors whose names had been submitted for matching would be contacted to determine the legitimacy of their contribution. The Committee and its treasurer argued at the time that this is an extraordinary intrusion into the First Amendment associational rights of these contributors, but nevertheless agreed to the verification process because they

were confident the results would vindicate what they knew to be true.

As a result of this contact, the Commission's staff obtained evidence of 43 allegedly improper contributions, which were denied matchability, and is now using this evidence as the basis for requesting a finding of probable cause. Having subjected the Committee to one sanction based on these responses (the denial of matching funds for the amount represented by the 43 checks), the General Counsel is now seeking to impose a substantial civil penalty as well as an admission to criminal liability for, ironically, having met their obligation to report receipts.

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The mandate of the Commission is to conciliate in order to limit unjustified litigation burdens which would otherwise be imposed on the courts and individuals against whom complaints have been filed. However, in the present instance the Commission is frustrating the conciliation process by refusing to grant access to the relevant evidence at the same time it is seeking to impose substantial penalties for alleged knowing and willful reporting violations. The evidence simply does not support the existence of a knowing and willful violation, and the Commission should reject such a finding and allow a reasonable conciliation effort to be made.

For the Commission to pursue this MUR and attempt to hold the Committee and its treasurer accountable under a criminal statute, while denying the respondents access to the alleged evidence against them, obliterates all notions of fairness and due process as guaranteed by the Constitution.

Respectfully submitted,

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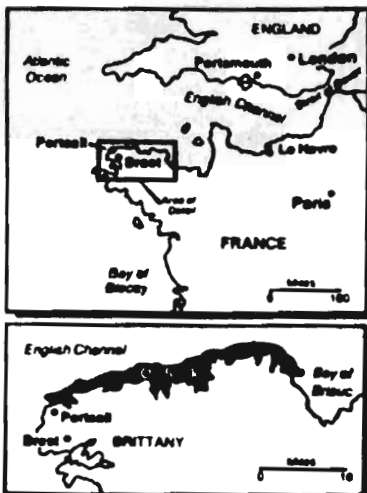
Oil Spill

Legal dispute between Amoco and British company. The case really are not set up in American jurisdiction to handle a case like this," Judge McGarr said at a conference. He added that the case was too complicated for a jury. The case has been burdened the court in a way that couldn't take too often. The complex case had been widely reported in maritime law circles for one of the claims and the many questions involved. The case involved the American oil company, the French tanker, a shipbuilder and a German tugboat company as well as the many French fishermen's associations. The testimony regarding damages, spread of two phases in the trial, more than a year. The case was heard in Chicago because Amoco's headquarters are here, Judge McGarr was required to apply French law in determining the damages because the accident occurred

came to the end of what has been a unique chapter in the history of oil spills," said Judge McGarr. "I added the damages item by item, there were thousands of them."

Fourth Biggest Spill

The case began in the darkness of the night at the northwest tip of Brittany, when a steering mechanism of the Amoco Cadiz malfunctioned in the middle of the night of March 16, 1978. After 12 hours of towing and attempted repairs in battering winds and 15-foot waves, the ship, which was longer than two football fields, ran aground. In the next few days she disgorged more than 219,617 tons, or 68 million gallons, of crude oil, the fourth biggest oil spill ever, and the largest to be cleaned up. About 600,000 tons of oil polluted the Gulf of Mexico in 1979 when the Exxon Valdez ran aground. In comparison, the diesel fuel that leaked from an Ashland Oil Inc. tanker near Pittsburgh into the



The New York Times/Jan. 12, 1988

Brest and Portgall, where the tanker ran aground, sent officials to hear decision. The oil spillage marred 100 miles of the Brittany coast.

Monongahela River was less than four tons.

Traces of Oil Remain

The spill ruined Brittany's tourist season and killed prized oyster beds that French fishermen say took years to replace. The oil also decimated populations of other valuable fish and shellfish.

The cleanup took months and involved an estimated 10,000 people, including French soldiers. Today, the craggy coastline shows no visible signs of the spill, though traces of oil still can be found deep in the sand and rocks.

"Even today, the quality of the water is not what it should be," said Ronald R. Allen Jr., a lawyer representing the French concerns. "It's improving little by little, but species that were killed and reintroduced have had a hard time finding a niche in the ecosystem."

French officials said the memory of the oil spill is still damaging the image of villages in Brittany.

Contributors Say Larouche Misled Them on Donations

WASHINGTON, Jan. 11 (AP) — Lyndon H. LaRouche Jr. is using money for his Presidential campaign that some contributors say they thought was going into an anti-AIDS program.

Three contributors whose checks were included in campaign financial documents that Mr. LaRouche, a political extremist, filed with the Federal Election Commission, said they did not support his Presidential bid and were led to believe their donations were to fight the spread of acquired immune deficiency syndrome.

"If I could get my money back I would," said one of the contributors, Peter Marino of Nashua, N.H., when a reporter told him Thursday that his \$5 check was in Mr. LaRouche's campaign coffers.

"I didn't even know I was contributing to a campaign," he said. "They caught me on the AIDS issue and that's what I wrote my check about."

Questions Raised About Checks

He wrote "AIDS" on the check. It was made out to "LDC," but it did not occur to him that that might stand for LaRouche Democratic Campaign, Mr. Marino said.

The commission's legal staff, in recommending that Mr. LaRouche be denied Federal matching funds for his campaign, raised questions about the checks of Mr. Marino and other contributors submitted with the application for the funds.

Debra Freeman, chairwoman of the LaRouche campaign, denied any contributors were misled.

The checks contain notations about AIDS or about S.D.I., the abbreviation for President Reagan's Strategic Defense Initiative, and not about the election. Or else they have the initials of the payee written over to read "LDC."

Lawrence Noble, commission counsel, cited past problems and litigation with Mr. LaRouche in recommending that the commission deny him matching funds. He accused Mr. LaRouche, who is currently standing trial on charges stemming from his 1984 Presidential campaign, of a "general disregard" for election law.

Commission Hearing Postponed

"The ambiguity of the use of initials, coupled with Mr. LaRouche's history of fraudulent submissions creates a rea-

sonable suspicion that the contributors may not have known that they were contributing to his 1988 Presidential campaign," Mr. Noble's memo to the commission said.

The commission postponed its public meeting on the matter Thursday after lawyers for Mr. LaRouche requested a private meeting to address the staff concerns.

Ms. Freeman said the AIDS issue was a centerpiece of Mr. LaRouche's fourth Presidential bid. She added that fund raisers "do highlight to a very large degree that LaRouche is against the spread of AIDS," but they also talked about his Presidential campaign.

Eighty-three-year-old Henry Brooker of Homestead, Fla., also thought his \$250 check was to fight AIDS, said his wife, Jacqueline.

AIDS was "exactly" what a LaRouche solicitor "was talking about when she asked for it," Mrs. Brooker said of the contribution.

But Leona Thoutt of Tyler, Minn., said she and her husband, Amandus, were behind Mr. LaRouche "100 percent" and have helped raise money for him. She said her husband had traveled to Germany with Mr. LaRouche to meet with farmers there on trade issues.

Asked why her \$100 check was made out to "SDI," then written over to read "LDC," Mrs. Thoutt said she did it herself. However, she added, "I probably should have made another check instead of writing over it."

Mr. LaRouche is currently on trial in Federal court in Boston, charged with conspiracy to obstruct a grand jury investigation into allegations of credit card fraud and irregularities in his 1984 Presidential campaign.

He is seeking the Democratic Presidential nomination for 1988 and is asking the election commission to certify him for Federal matching funds.

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Exhibit 1

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Drive Against Pornographers

according to local standards, as decided by a 1973 Supreme Court decision. The obscenity standards would be changed under the Justice Department's new campaign against dis-

Robert Showers, executive director of the department's National Obscenity Enforcement Unit, which was led by Mr. Meese last year, said it proper to seek the assets of a rack of whether the criminal be a drug dealer or a distributor of obscenity. "If you were selling drugs out of a store, the bookstore would be sold and confiscated and forfeited," he said. "Under the law, you follow the same rule if the bookstore owner is violating the law by selling legally ob-

scene material."

But civil liberties groups argue that the forfeiture provisions could be used to seize the assets of legitimate shops that sell relatively little sexually explicit material. The result, they say, would be self-censorship by retailers fearing prosecution.

Anti-pornography groups, however, saluted the Justice Department's move and said it was long overdue.

The Rev. Donald E. Wildmon, executive director of the American Family Association, said he was pleased that Federal prosecutors "are finally getting in the game — they finally have their ducks in a row, and I think there's going to be a lot of prosecution."

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FEC lawyer: LaRouche should not get matching funds

By BUD NEWMAN

WASHINGTON (UPI) — The Federal Election Commission's lawyer recommended Tuesday that extremist presidential candidate Lyndon LaRouche should be denied federal matching funds due to his "pervasive pattern of fraud and abuse."

LaRouche, who has been on both the far left and far right fringes of American politics for years and a presidential candidate in 1976, 1980 and 1984, is seeking the Democratic Party's 1988 presidential nomination.

He and several associates were indicted and are now on trial in Boston charged with credit card fraud, securities fraud and obstruction of justice.

LaRouche requested \$291,298.11 in federal matching funds, generally made available to certified national presidential candidates who have raised at least \$100,000 in contributions of no more than \$250 from individuals in at least 20 states.

In his submission to the FEC, LaRouche reported receiving 1,693 contributions from people in 22 states totaling \$291,298.11.

But in a report released Tuesday — two days before the FEC is scheduled to consider LaRouche's latest application for 1988 matching funds — the commission's general counsel recommended that his request be denied.

General Counsel Lawrence Noble, noting numerous problems that the FEC had with LaRouche after he got matching funds in his 1980 and 1984 campaigns, wrote, "There appear to be questions regarding the validity of the new submission and his new promises to comply" with federal election laws.

"These concerns, viewed in light of the historical and pervasive pattern of fraud and abuse of the public funding programs exhibited by Mr. LaRouche, his authorized committees and associated organizations, lead to the conclusion that Mr. LaRouche has failed to establish his eligibility to receive public funding for his 1988 campaign at this time," Noble wrote.

The FEC staff noted that in previous elections when LaRouche did get matching funds, many of his contributions "proved to be improperly attributed to individuals who had no intention of contributing to Mr. LaRouche's campaigns." LaRouche received nearly \$500,000 in matching funds in both 1980 and 1984.

The report also noted the FEC "has in its possession evidence of apparent fraudulent fund-raising in connection with Mr. LaRouche's 1984 campaign."

The FEC said that when it asked the LaRouche campaign committee for documents during an investigation of LaRouche's 1984 fund-raising, the campaign refused.

In a related development Tuesday, the Virginia State Board of Elections determined that LaRouche — whose base of operations is in Leesburg, Va. — obtained enough signatures to be placed on the Democratic ballot for the state's primary March 8, the Super Tuesday of 15 contests.

Sue Fitz-Hugh, secretary of the board of elections, said LaRouche supporters collected more than 25,000 signatures across Virginia's 10 congressional districts to ensure his name would be on the ballot.

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I Announce My Candidacy for the 1988 Democratic Party Presidential Nomination

by Lyndon Hermyle
LaRouche, Jr.



Lyndon H. LaRouche, Jr.

The world today is threatened by the most deadly pandemic disease so far known to mankind, a disease far more deadly to its victims than the Black Death which wiped out between one-third and one-half of the population of Europe during the middle of the 14th century. This deadly pandemic is called Acquired Immune Deficiency Syndrome, or simply AIDS.

During the recent six months, a team of specialists has been advising me on the nature and the spread of this pandemic. These advisers have included teams of physicians, of other scientists, and of other specialists. These teams of experts have reviewed the facts with leading epidemiologists and institutions in a number of countries, and have cross-checked the opinion of each expert with numbers of the world's leading authorities. The experts emphasize that many important questions about the disease can not yet be answered, but certain facts demand very clear courses of action by governments. Most of the world's leading experts denounce the Switzerland-based World Health Organization and the U.S.A.'s Atlanta CDC (Centers for Disease Control) as behaving irresponsibly, and many accuse these institutions of circulating false information as part of a political cover-up.

The facts which every citizen must know include the following:

1. AIDS is what is sometimes called a "slow virus."

The person infected with the AIDS virus may not develop AIDS symptoms for years, but during that long period of incubation, the infected person can transmit the infection to others, even though he or she does not yet show AIDS symptoms.

Such a slow virus, with such a high fatality-rate, is the most insidious kind of pandemic which could threaten mankind. An infected person can circulate for a year or more, spreading the infection to others, without revealing symptoms. They might die of AIDS-caused complications within a few years, or might die gradually of degeneration of the brain—since AIDS is an infection of the central nervous system.

2. The present best guess is, that as many as 100% of the persons infected with the disease will die, in either a few years or as many as 12 years after they are infected. This makes AIDS a more deadly pandemic than the Black Death.

3. The number of persons infected with AIDS in the United



Demonstration in Pittsburgh, 1985.

States is estimated to be not less than 1 million. Some experts estimate that about 50% of the United States' homosexuals are infected, and at least an equal percentage of drug-users. In cities with high concentrations of homosexuals, 70% could be presently infected. Some estimates say that more than 1 million Americans could already be spreading the disease to others.

4. The number of cases of Americans reported as having the disease has been doubling every six months. This would mean that a minimum of 8 million could become infected by about the end of 1986, and a minimum of 32 million by the end of 1987.

These estimates are only the best guesses which can be made on the basis of trends observed by medical experts so far, but they are accurate insofar as they indicate the seriousness of the danger to the entire population.

5. The argument, that AIDS can be transmitted only by sex or by needles, is already shown to be a dangerous fraud.

In central black Africa, teams of experts estimate that between 10 million and 32 million are already infected, with infection distributed without regard to age or sex. Medical experts report that AIDS is raging out of control already in Brazil. A similar pattern is found in parts of the United States where sanitation is extremely poor and the population badly nourished. It is absolutely clear, from these cases, that it is a fraud to argue that AIDS can be transmitted only by persons who are already showing symptoms of AIDS, or can be transmitted only by homosexuals or by hypodermic needles. The tracing of most cases to homosexuals and drug-users, applies only to environments where levels of sanitation and nutrition are still within normal standards.

True, AIDS is a medical problem. It is also a political issue. No epidemic in progress was ever stopped by the discovery of a cure. Since the Black Death, which killed one-third to one-half of the population of Europe, during the middle of the 14th century, civilization has learned that the only way to stop the spread of epidemics is public health measures, especially sanitation and isolation of infected victims. Only public health measures by governments can halt the spread of a pandemic.

At the beginning of the Constitution of the United States, the highest law of our nation, our forefathers compacted to "promote the general welfare." Until 1975, our federal, state, and local governments enacted laws, and created public health institutions, to enforce public health measures against communicable epidemic diseases. Most of these laws are on the books; they are the law. Any law, any act of negligence by the federal, state or local government, which attempts to overturn that provision of our Constitution, or to violate that law by negligence, is grounds for impeachment and other appropriate actions against any public official whose acts or negligence cause injury to the general welfare.

Yet, in violation of the law, today, agencies of our federal

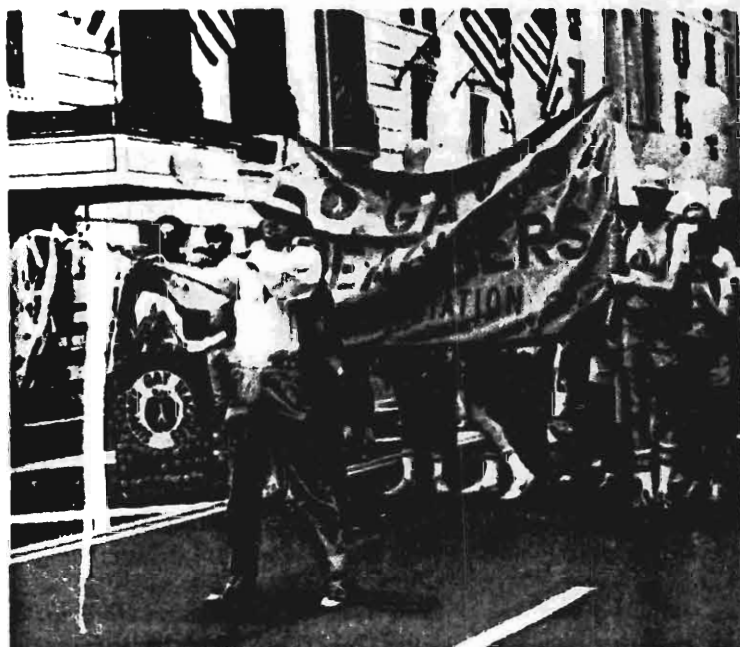
government, as well as the municipal government of Los Angeles, are in such violation of their oaths to uphold the Constitution in the matter of the spread of the most deadly pandemic in the history of mankind. They are, in fact, guilty of complicity in mass-homicide, in defiance of established law. Every person who becomes ill, or who dies of infection with AIDS, under conditions fostered by such mixed negligence and obstruction of law, should hold such officials personally accountable under the law.

Therefore, those who violate the law, or who attempt to overturn the public health law of the United States, have made AIDS the leading political issue of 1985. The attack on the law has been made chiefly by two classes of persons. The first, is composed of lobbyists representing themselves as working in behalf of the "civil rights" of drug-users and homosexuals. The second group includes officials of governments who are acting in collaboration with certain supranational institutions to falsify the facts about AIDS. Both groups are acting to assist the spread of a pandemic worse than the Black Death, a disease more deadly to mankind than a full-scale thermonuclear war.

Yes, we must have medical research, but to do nothing until medicine discovers a cure, would be a criminal act of negligence. Let us suppose that a cure is discovered three years from now. At the present doubling-rate, that would mean that at least 64 million Americans would be infected, many of whom would already be dead or doomed to die. Former Health Secretary Margaret Heckler proposed that 1990 is the target-year for a medical breakthrough. That means four years, by which time most Americans might be infected!

Medical support is necessary. We should be spending between a half-billion and one billion dollars for research, and should be providing hospital treatment-places for isolated infected persons, as we did for tuberculosis victims, adequate to the number of expected cases needing treatment. But, medical support by itself will not stop the deadly pandemic. Public health measures must be taken on the federal, state, and local levels, immediately.

We must identify and isolate the carriers of the AIDS virus, until we are assured that those infected are no longer capable of transmitting the virus. We must, especially, be certain infected persons are not employed as food-handlers, or in service occupations which require them to make bodily contact with non-infected persons. We must provide treatment centers for these



"Gay Rights" on parade in New York City.

victims. We must correct lack of adequate public sanitation. We must improve levels of nutrition, including levels of animal-protein consumption consistent with the individual's immunological potential. We must recognize that drugs which depress the immune system help to spread AIDS; the consumption of such drugs for "recreation" must be stamped out ruthlessly. We must recognize that the spread of other epidemic diseases, including the recent explosion in spread of tuberculosis, contributes to the spread of AIDS.

It is the urgent public health measures which are the most costly actions we must take to control this deadly pandemic. Those public health measures are far more costly than the medical action needed. That is why government agencies are covering up so many of the facts about the AIDS pandemic, during the present fight in Congress over "balancing the federal budget."

This is the first time in our nation's history, that so many in government have attempted to balance the budget by allowing a deadly pandemic to kill off the tax-payers.

Ten years ago, a team of my collaborators and I warned, that if the monetary policies which the U.S. government adopted in August 1971 were continued indefinitely, by the second half of the 1980s, the world would be attacked by waves of famine and epidemic diseases like those which wiped out half of the population of Europe during the first half of the 14th century. We predicted that epidemics of cholera and other diseases would explode in the Sahel region of Africa by the middle of the 1980s. That happened, exactly when we warned it would happen, unless our monetary policies were changed. We also warned that new varieties of pandemics, previously unknown to medicine, would also break out in areas such as Africa, and would spread throughout Europe and the United States. That, too, has happened; AIDS is a new pandemic, which broke out in Africa, and which built up toward an explosion in the United States and Western Europe over the first half of the 1980s.

On July 1 of this year, the international newsweekly for which I am contributing editor, the *Executive Intelligence Review*, issued a special report, named "Economic Breakdown and the Threat of Global Pandemics." This report compared the 1975 forecast of pandemics issued by my collaborators, with the spread of famine and disease in the world today. Public health officials of our government rejected that report. They admitted that the reasoning about the connection between economic conditions and the spread of epidemics is correct, but they insisted that these economic conditions do not exist, because, they said, the world is experiencing an economic recovery. That is the reason that CDC and other governmental institutions are now acting to prevent urgently needed public-health measures to control not only AIDS, but the rapid rise in old types of epidemic disease, such as the tuberculosis epidemic hitting slum populations in the United States today. They are trying to avoid the spending of the amount of money needed to control AIDS, and they are unwilling to face the fact that the world is on the edge of a general collapse of the banking-system, and sliding deeper into a worldwide depression in levels of employment in production of food and industrial goods.

During the 1984 presidential campaign, I delivered 15 half-hour broadcasts on national television networks. These broadcasts were devoted to issues of national defense, to warning of the 1985 wave of bankruptcies among farmers, to the continuing

collapse of our industrial sectors, and to the deadly failures in our foreign policies. Those who remember those broadcasts, if they are men and women capable of learning lessons from experience, know that the facts and warnings I reported on those broadcasts were true. They know that those who doubted my warnings were mistaken. The same could be said of the several network telecasts I made during my 1980 campaign for the Democratic presidential nomination.

Suppose I had been nominated by the Democratic Party in 1980 or 1984. I might not have won the election, but the effect of my Democratic presidential campaign would have meant a better and much stronger Democratic Party than we have today. It would have meant a much stronger voice in government today, for the interests of our basic industry, our industrial workforce, our farmers, and our poor. Because I have earned more respect among countries friendly to the United States than any other presidential candidate, it would have meant that most of the terrible failures in the continuing conduct of our foreign policy, would be more easily corrected. Also, had I been the 1984 Democratic candidate, instead of Walter Mondale, Moscow would have stopped its attempts to bluff President Reagan on the issue of the Strategic Defense Initiative.

The proper function of any candidate for the presidency of the United States is not necessarily to become the President in the next election. The most important role which a presidential candidate must play during the long campaign, is to provide leadership on the great issues of our nation's domestic and foreign policies. The duty of a presidential candidate is not really to win a popularity-contest; the sacred duty of a presidential candidate is to educate the citizens of our nation on the life-and-death questions of policy, and to work to ensure that whoever the next President may be, that President will be greatly influenced by the policy-issues raised during the campaign.

For more than 20 years, the United States has been dominated by the wrong policies on most major issues of the economy and on foreign policy. Whether the President was a Democrat or a Republican, that President continued the same direction in policy left over from his predecessor. The crowd we associate with the Trilateral Commission, ran the policies of the Johnson administration, the Nixon administration, the Ford administration, the Carter-Mondale administration, and has dominated the policies



LaRouche supporters demonstrate against vote fraud carried out in Baltimore during the 1984 Democratic Party primary.

of the Reagan administration. Through all these administrations, only two important changes in policy have been made by any President; the one change was President Ronald Reagan's adoption of his change in strategic policy, the Strategic Defense Initiative; the other change has been the President's and Mrs. Reagan's commitment to fighting the "War on Drugs."

Over 20 years, the kinds of policies we associate with the Trilateral Commission today, have dominated our government, and have been the policies of nearly every one of the major parties' presidential candidates. Over 20 years, under these policies, we have watched the United States collapse into a second-rank power. We have watched our industries collapsing, our exports vanishing, inflation soaring, and our nation's farms and banks driven into bankruptcy. We have watched tens of millions of Americans

transformed into drug-users, wasting hundreds of billions of dollars a year on drugs and pornography, and the recruitment of millions of Americans into the ranks of AIDS-riddled homosexuality. Our cities are collapsing. Every year, the areas of burned-out slums resembling bombed-out cities in postwar Europe, increase. At least 30 million Americans are desperately poor. The material living standards of the majority of Americans are below the average of the 1960s, while the savings accounts of the 1970s have become the credit-card debt of the middle 1980s.

This ruin of the United States did not happen naturally. It happened because of bad policies of the Federal government, the kinds of policies we associate today with the Trilateral Commission. The United States was ruined because of the Presidents most of you elected, and because of the majority of the members of Congress which most American voters voted into office, over and over and over again. The faces of the elected officials changed, but the policies stayed the same or became worse. Don't blame the government; blame those who voted, again and again, for politicians who followed the line of the Trilateral Commission crowd.

Now, as a result of Trilateral Commission-style policies over 20 years, the once rich and powerful United States is a ruined, nearly bankrupt nation, whose diplomats and politicians beg for mercy each time a Moscow official makes an angry face. As a result of the worldwide impact of those kinds of policies, over 20 years, you and your family today are threatened by an epidemic of AIDS which could potentially wipe out most of the population of the United States by the end of this century.

As Abraham Lincoln is famous for saying, "You may fool all of the people some of the time; you can even fool some of the people all the time; but you can't fool all of the people all the time." The AIDS epidemic, and the growing signs of a government cover-up of this epidemic, are beginning to move the majority of the citizens to a mood of political revolt. The spread of righteous anger among the majority of citizens is not caused solely by their legitimate terror of the AIDS threat; AIDS is the last straw. The citizens' willingness to sit back and hope that things will gradually get better, is coming to an end. The condition of the economy, the unpayable mass of private debt piling up on many citizens, the decay in the society around them, popular contempt for politicians generally, and now the AIDS epidemic, are sources

of a righteous discontent which will no longer confine itself to grumbling in private. The citizens are no longer willing to continue to be misled by the kind of political-party system which has existed the past 15 years.

You can't fool all of the people all of the time.

There is an earthquake in the political life of the United States in progress. People who, as I do, remember the moral standards and the pro-scientific outlook for which the United States used to stand, are thinking that over the past 20 years we have traveled down the wrong road. The course of events has determined, that the time for change is now ripe. My qualifications and my duty, are that I am the well-known political figure peculiarly suited to provide the kind of leadership for which a growing number of the citizens are now turning.

My candidacy reflects the rapid shift within the population, away from the radicalism of the past 20 years, and back toward the traditional American values of moral law and scientific progress. My candidacy for the 1988 Democratic presidential nomination, addresses that corruption in our political process which is echoed now in the continued cover-up of the rapid spread of AIDS.

AIDS is the leading issue which every serious candidate must face, but it is also a symbol of the economic and foreign-policy issues in the mind of the majority of citizens. The justified terror of the deadliest communicable disease known to mankind, means that over the coming 12 months the two major political parties will be split apart over the AIDS issue.

The popular demand for massive action against the spread of this deadly disease, will trigger an explosion of traditional American moral and scientific values.

Those who share traditional American moral and pro-scientific values, are the kind of people I represent, whether they are Democrats, Republicans, or independents. Yet, I must continue my fight to rebuild the Democratic Party, because the American Constitution's promise "to promote the general welfare," and the principles of our Declaration of Independence, mean that only a party which represents the vital interests of basic industry, industrial labor, the farmers, and the poor, is using the yardsticks of the American System.

Although I would hope that my campaigning would help to strengthen the best currents and candidates in the Republican

Party, my first commitment as a Democrat is to help free the Democratic Party of the sickness of radicalism, and to return control of the party back to those constituencies which choose the kinds of policies consistent with the yardsticks of our Constitution and Declaration of Independence.

It is also extremely important that I campaign for the presidency now, because of the succession of foreign-policy catastrophes created by the State Department. As an editor of an influential international newsweekly, I am in contact with governments and leading circles in Europe, Africa, Asia, and Spanish-speaking America. Our State Department is more hated by the friends of the United States than by our Soviet adversaries. Often, the Department's actions do the work of the Soviet empire. This growing anger against the State Department and the international financial policies of our government is more than fully justified on the most elementary moral grounds. Many foreign leaders have said that they like my approach, and wish I were more influential in Washington. My campaigning will, by itself, help to make possible improvements in the United States' relations with many countries which desire to be our friends.

I have decided to campaign for the Democratic presidential nomination now, because I know that it is indispensable that I exert greater influence on the 1986 congressional elections. What kind of a United States we shall have, going into the 1988 elections, will be decided by the conduct of the 1986 congressional campaigns. The most important of the political issues threatening us right now, AIDS, reflects the fact, that a 1988 presidential candidate who is not campaigning openly for the nomination now, is not serious about the future of the United States.

*Leesburg, Virginia
October 4, 1985*

GCC #1006

LAW OFFICE OF
RICHARD MAYBERRY & ASSOCIATES
FIFTH FLOOR
888 16TH STREET, N.W.
WASHINGTON, D.C. 20006
(202) 785-6677

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May 2, 1991

Lawrence Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 2594 -- Withdrawal of Counsel

Dear Mr. Noble:

I withdraw as counsel in the above-mentioned matter. Please direct all future correspondence in this case to: Treasurer, The LaRouche Democratic Campaign, P.O. Box 17066, Wshington, DC 20041, telephone number (202) 955-5940.

Very truly yours,

Richard Mayberry

Richard Mayberry

RM:cgk

5047624293

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

The LaRouche Democratic Campaign)
and Edward Spannaus, as treasurer)

MUR 2594

SENSITIVE

DEC 19 1991

GENERAL COUNSEL'S

EXECUTIVE SESSION

I. BACKGROUND

504362424

The LaRouche Democratic Campaign ("the Committee" and/or "LDC") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process. The Committee submitted information to the Commission to acquire matching funds for the 1988 Presidential Election period. Contributor confirmations were sent to the contributors whose checks were made payable to "L.D.C." or in cases where other facial irregularities were present on the check or associated documentation. Seven Hundred and Thirteen (713) responses were received to these contributor confirmation requests. Forty three (43) individuals indicated that they had not intended to make contributions to further the presidential campaign of Lyndon H. LaRouche. These 43 individuals were included in the list of contributors the Committee submitted to the Commission to acquire matching funds.¹

Many of the responses included unsolicited written comments wherein the individuals described instances where he or she (1) felt pressured into making a contribution, (2) made contributions

1. The Committee received no "matching funds" with regard to the 43 individuals.

believing that the contribution was for a specific purpose other than furthering Lyndon H. LaRouche Jr.'s 1988 presidential nomination campaign, (3) made loans to the campaign, or (4) had contributed to a number of LaRouche's interests, while making all checks payable to LDC. On June 7, 1988, the Commission found reason to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 2 U.S.C. § 434(b)(2) and (3), and 26 U.S.C. § 9042(c).

On November 15, 1990, a brief was mailed to Respondents stating the General Counsel's position on the legal and factual issues and notifying Respondents that the General Counsel intends to not only recommend that the Commission find probable cause to believe that Respondents violated 26 U.S.C. § 9042(c) but also that Respondents knowingly and willfully violated 2 U.S.C. § 434(b)(2) and (3). On December 20, 1990, counsel on behalf of LDC filed a response to the General Counsel's brief. (Attachment 1).²

II. ANALYSIS

LDC also argues that there is no

2. After this response was filed with the Commission LDC's original counsel withdrew and was replaced by new counsel.

evidence to support knowing and willful violations.³

As stated in the General Counsel's brief circulated to the Commission on November 15, 1991, many of the responses included unsolicited written comments wherein the individuals described instances where he or she (1) felt pressured into making a contribution, (2) made contributions believing that the contribution was for a specific purpose other than furthering Lyndon H. LaRouche Jr.'s 1988 presidential nomination campaign, (3) made loans to the campaign, or (4) had contributed to a number of LaRouche's interests, while making all checks payable to LDC.

"Not Contribution" Responses

Several confirmations received from those individuals who indicated that they had not made contributions to further Lyndon H. LaRouche Jr.'s 1988 presidential nomination campaign included comments which are divided into three categories and are presented below.

3. It should be noted that the LaRouche Campaign, the principal campaign committee for the 1984 election cycle, of which Edward Spannaus was treasurer, as he is treasurer of the campaign committee in this instant matter, was also found to have committed the same violations as are at issue in this present matter. In MUR 1852, on December 11, 1984, the Commission found reason to believe that the LaRouche Campaign and Edward Spannaus, as treasurer, had violated 2 U.S.C. §§ 434(b)(2) and (3) by failing to properly report contributions, and identify the contributors; and 26 U.S.C. § 9042(c) for furnishing false information to the Commission in its Statement of Net Outstanding Campaign Obligations, and in the books and records presented during field work conducted by the Audit Division. Furthermore, MUR 1852 is in part based on claims by reported contributors that the LaRouche Campaign requested funds for one purpose and used them for another purpose, without the contributors knowledge or consent thereto.

5043624296

1. Comments received from individuals indicating that they were pressured into making a contribution.

I had no intention of contributing. In fact, I didn't even know it was for a candidate until I was writing out the check. I was even going to cancel the check because of the pressure that was used to give a donation. Their opening line was "Do you want to help fight AIDS." And they would not take no for an answer.

I gave the \$3.00 to cover the material given me - the person who was here in regards to this material was very high pressured and obnoxious. I wanted to get rid of him!
[Emphasis in original].

2. Several individuals commented that they believed that they were making contributions for specific purposes other than furthering Mr. LaRouche's presidential campaign.

I contributed money for specific cause being that of Aides [sic] research.

My cheque was for Proposition 64 of California. The fight against A.I.D.S. to be used for advertisement.

The donation was to hire a lawyer to get one of their cohorts, out of jail. Telephone call saying he was unjustly accused.

The solicitor who contacted me in regards to this contribution led me to believe that the contribution was for worthwhile charitable organizations and not related to Mr. LaRouche's political aspirations.
[Emphasis in original].

I thought I was paying for EIR publication.

I was under the impression that I was subscribing to the EIR magazine...

I do not chose to make a contribution to Mr. LaRouche's campaign for President. I take EIR for information only...

5043624297

3. Other individuals commented that they were not aware of the purpose of their donation.

The man said he could not leave any literature on LaRouche without a donation. ... I did not know that the money was going toward his campaign.

My understanding, I was not making contributions to the LaRouche campaign. [Emphasis in original].

My father was and is upset with LaRouche and his people. They lied to him and have not returned the loan made in good faith. The other stock was processed so fast the attorney was unable to keep it for him. I wrote letters to the Fusion Energy Foundation in 1987, all returned, address unknown.

In addition to the receipt of confirmation letters, the Commission also received telephone calls from individuals who had received confirmation letters. These individuals, some of whom also returned confirmations, related that they had made contributions under circumstances similar to those described above.

Individuals indicated the fact that their checks were payable to "LDC" did not mean the funds were contributions to Mr. LaRouche's 1988 presidential nomination. Excerpts from the telephone conversation log are as follows.

He (the caller) said that he had made numerous checks to LaRouche organizations for different purposes but to his knowledge he was always asked to make the checks payable to LDC.

He (the caller) then went on to say that he did make the contributions specified in the letter. But not for Lyndon LaRouche's 1988 Pres. Election. He said there were other reasons for making them.

5043624293

He (the caller) said he didn't know if he contributed to LaRouche when he wrote the check. David (the solicitor) talked to him for more than 1 hour and discussed AIDS, Communism and other things and told him to make the check payable to "LDC". He said that he "really made the contribution for David."

She (the caller) told me that her friend thought that the money was going for AIDS and not for LaRouche's campaign.

Non-matchable contributions are defined as contributions which are made by persons without the necessary donative intent to make a gift or made for any purpose other than to influence the result of a primary election. 11 C.F.R. § 9034.3(i).

Pursuant to 26 U.S.C. § 9042(c), it shall be "unlawful for any person knowingly and willfully to furnish any false, fictitious, or fraudulent evidence, books, or information to the Commission under this chapter, or to include in any evidence, books or information of a material fact, or to falsify or conceal any evidence relevant to a certification by the Commission or an examination and audit by the Commission...."

The Committee's willful submission of names of persons which it clearly knew did not intend to contribute to Lyndon LaRouche's presidential campaign is a violation of 2 U.S.C. § 9042(c).⁴

4. We note that the Commission's jurisdiction is limited to civil, not criminal, enforcement of Chapter 96 of Title 26. See 2 U.S.C. § 437c(b)(1). Moreover, although Section 9042 of Title 26 is denominated "Criminal penalties", there is some inferential legal support for pursuing civil enforcement on these provisions. See Glenn Presidential Committee Inc. v. FEC, 822 F.2d 1097 (D.C. Cir. 1987). In the Federal Election Commission v. National Conservative Political Action Committee

5043624300

The legislative history of the 1976 amendments, to the Act, indicated that Congress intended that there be a fundamental distinction between "knowing" violations of the law and "knowing and willful" violations. 122 Cong. Rec. H3778 (daily ed. May 3, 1976) (remarks of Congressman Hays). Mr. Hays' explanation of the phrase is a reflection of the House Report (No. 94-917). H.R. Rep. No. 94-917, 94th Cong. 2d Sess. 3-4 (1976). Thus, there are two distinct standards: a "knowing and willful" one, where there is knowledge that the action involved is in violation of the law; and a "knowing" standard, where no such knowledge is necessary.

The legislative history of the 1979 amendments to the Act also addressed the "knowing and willful" standard. The Committee on House Administration deleted the requirement in the Act that the Commission make a finding of "clear and convincing proof." The Committee intent was not to reduce the standard for a knowing and willful violation. "Rather, it did not think the clear and convincing proof element was meaningful." Thus, the reference to "clear and convincing proof" was deleted as unnecessary. H.R. Rep. No. 96-422,

(Footnote 4 continued from previous page)
Et Al., 470 U.S. 480, the court held: If the FEC, "upon receiving a complaint...or on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, determines...that it has reason to believe that a person has committed, or is about to commit, a violation [of the Fund Act]," § 437g(a)(2), it is obligated to investigate and, if it finds "probable cause to believe that any person has committed, or is about to commit, a violation," to pursue various corrective and enforcement steps, which can ultimately involve civil...proceedings in district court.

96th Cong., 1st Sess., 22 (1979).

2 U.S.C. §§ 434(b)(2) and (3) requires that political committees report the total amount of all receipts. The knowing and willful submission of names of persons who clearly did not intend to contribute to Lyndon LaRouche's presidential campaign was the conduct which resulted in a violation of 26 U.S.C. § 9042(c). This conduct was also the basis of the reporting violations. In addition, Respondents furnished this report to the Commission with full knowledge that it incorrectly reported the total amount of all receipts. Therefore, the Respondents knowingly and willfully reported the receipt of funds as contributions from individuals who clearly did not intend to make a political contribution. This false reporting is a knowing and willful violation of 2 U.S.C. §§ 434(b)(2) and (3).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

5043624301

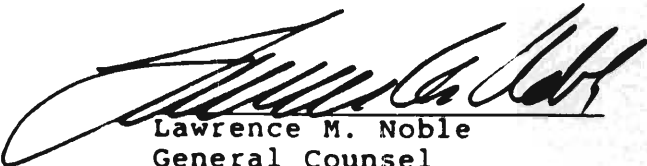
IV. RECOMMENDATION

1. Find probable cause to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c) and knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3).

2. Approve the attached conciliation agreement and appropriate letter.

Date

12/9/91


Lawrence M. Noble
General Counsel

Attachments:

1. LDC's response to brief
2. Conciliation Agreement

Staff assigned: Phillip L. Wise

5043624302

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2594
The LaRouche Democratic Campaign)
and Edward Spannaus, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 19, 1991, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2594:

1. Find probable cause to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c) and knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3).
2. Approve the conciliation agreement and appropriate letter as recommended in the General Counsel's report dated December 9, 1991.

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

Attest:

12-23-91
Date

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



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

January 3, 1992

Treasurer,
The LaRouche Democratic Campaign
P.O. Box 17066
Washington, D.C. 20041

RE: MUR 2594
The LaRouche Democratic
Campaign and Edward Spannaus,
as treasurer

Dear Sir or Madam:

On December 19, 1991, the Federal Election Commission found that there is probable cause to believe The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c), a provision of Title 26, U.S. Code, and knowingly and willfully, violated 2 U.S.C. §§ 434(b)(2) and (3), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with knowingly and willfully reporting to the Commission the receipt of funds as contributions from individuals who clearly did not intend to make a political contribution.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

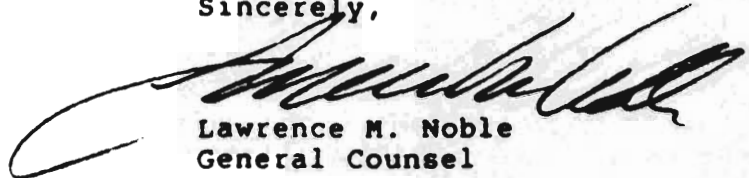
Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

5043624304

Treasurer,
The LaRouche Democratic Campaign
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

5043624305



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 10, 1992

Treasurer,
The LaRouche Democratic Campaign
P.O. Box 17066
Washington, D.C. 20041

RE: MUR 2594
The LaRouche Democratic
Campaign and Edward Spannaus,
as treasurer

Dear Sir or Madam:

On January 3, 1992, you were notified that the Federal Election Commission found probable cause to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c), and knowingly and willfully, violated 2 U.S.C. §§ 434(b)(2) and (3). On that same date, you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), the conciliation period in this matter may not extend for more than 90 days, but may cease after 30 days. Insofar as more than 30 days have elapsed without a response from you, a recommendation concerning the filing of a civil suit will be made to the Commission by the Office of the General Counsel unless we receive a response from you within 10 days of receipt of this letter.

Should you have any questions, please contact me at (202) 219-3690.

Sincerely,

Phillip L. Wise
Phillip L. Wise
Attorney

5043624306

**The
LaRouche Democratic
Campaign**

~~P.O. Box 17066, Washington, D.C. 20044~~

P.O. Box 210, Leesburg, VA 22075

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February 20, 1992

Phillip L. Wise, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RECEIVED
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OFFICE OF GENERAL COUNSEL
92 FEB 24 PM 3:37

RE: MUR 2594
The LaRouche Democratic Campaign
and Edward Spannaus, as treasurer

Dear Mr. Wise:

Yesterday I received your letter of February 10, 1992, first postmarked February 11, 1992 and forwarded by an unknown person or agency, apparently on February 17. Mr. Noble's probable cause letter dated January 3, 1992 with proposed conciliation agreement, to which your February 10 letter refers, was received February 18, 1992. Both had originally been addressed to an erroneous post office box number. The January 3 letter was apparently returned to your office and re-sent, since the envelope in which it came had an adhesive label attached with our correct current post office box (that is, it was not forwarded by the U.S. postal service).

I note that enclosed with this letter was a letter to Lawrence Noble from Richard Mayberry dated May 2, 1991, the apparent source of the incorrect P.O. box number, presumably arising as a typographic error that identified the committee's Washington post office box number as 17066 rather than 17068. The committee has been using the Leesburg post office box (#210) for a number of years now for all of its FEC disclosure reports, and has received previous mail from the Commission both at that address (see enclosed first page of Final Audit Report transmittal letter dated May 18, 1990), and at the correct Washington P.O. Box, which was #17068.

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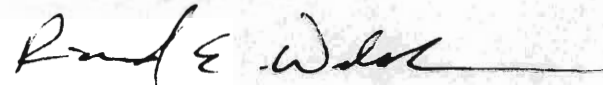
Since both of your communications have only now been received, the committee therefore requests additional time in which to review your proposed conciliation and to confer with counsel. We suggest that the minimum 30-day and maximum 90-day periods begin at February 17, 1992.

Please direct all future correspondence to:

Treasurer
LaRouche Democratic Campaign
P.O. Box 210
Leesburg, VA 22075

Thank you for your consideration in this matter.

Sincerely yours,



Richard E. Welsh
Assistant Treasurer

encl.

5043624308

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Official Business
Penalty for Private Use, \$300



Postage and Fees Paid
Federal Election Commission
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Treasurer,
The LaRouche Democratic Campaign
~~P.O. Box 17066~~
~~Washington, D.C. 20041~~

*Send to:
Welsh
108 North St N.E.
Leesburg, Va 22075*

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92 FEB 24 PM 3:37
RECEIVED
FEDERAL ELECTION COMMISSION
COUNSEL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 3, 1992

Odin P. Anderson, Esquire
Anderson, Rossi & Davis, P.C.
Four Longfellow Place
Suite 3705
Boston, MA 02114

RE: MUR 2594
The LaRouche Democratic
Campaign and Edward Spannaus,
as treasurer

Dear Mr. Anderson:

5043624310
This is in response to a letter from your clients dated February 20, 1992, which we received on February 24, 1992, requesting an extension of time to respond to the Commission's proposed conciliation agreement. The letter also informed this Office that it was not received until February 17, 1992, the date your client requested that the time period to respond starts. This Office approves the request that the time period to respond should begin on February 17, 1992, the date of your clients' receipt of the agreement. Therefore, the response was due on March 3, 1992.

In addition, in a telephone conversation with a staff member from this Office you stated that you would be traveling during this period in which the response would be due, therefore you requested a minimum of 30 days to respond.

After considering the circumstances presented in your clients' letter and your telephone conversation, the Office of the General Counsel has granted the requested 30 day extension. Accordingly, your response is due by the close of business on April 3, 1992.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Phillip L. Wise
Phillip L. Wise
Attorney

RECEIVED
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BEFORE THE FEDERAL ELECTION COMMISSION

SEP 18 PM 3:50

In the Matter of)
)
The LaRouche Democratic Campaign) MUR 2594
and Edward Spannaus, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

The LaRouche Democratic Campaign ("the Committee" and/or "LDC") and Edward Spannaus, as treasurer, were referred to the Office of the General Counsel by the Audit Division as a result of negative responses received during the contributor confirmation process. On December 19, 1991, the Commission found probable cause to believe that The LaRouche Democratic Campaign and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c) and knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3).

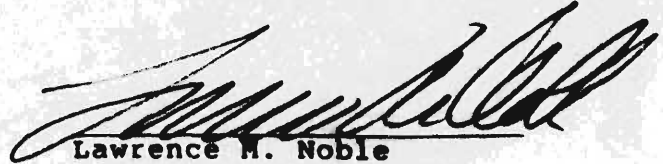
On January 3, 1992, notice of the Commission's findings was mailed, along with a proposed conciliation agreement, to LDC. The mailing address for LDC, which was given to this Office by LDC's withdrawing counsel was incorrect. Therefore, the notification and proposed conciliation agreement were returned to the Office of the General Counsel by the post office. After locating the appropriate address, the documents were remailed. LDC informed this Office that the documents were received by them on February 17, 1992. LDC also requested an extension of time to respond based in part on the late arrival of the Commission notification and conciliation agreement, and the fact that its counsel will be out of the country. This extension was granted until April 3, 1992.

5043624311

After LDC has responded or had sufficient time to respond to the Commission's notification and proposed conciliation agreement, this Office will further report to the Commission.

Date

3/18/92



Lawrence M. Noble
General Counsel

Staff assigned: Phillip L. Wise

5043624312

OCC 9162



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Le Mars , IA 51031

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Rhonda Olson-Beard
435 Central Avenue, S.W.
Le Mars , IA 51031

See below

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address. *Rhonda Olson-Beach*
☐ Forwarding Address is:

Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624313



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Sioux City, IA 51103

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Mary L. Lacey
2219 W. 2nd
Sioux City, IA 51103

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624314



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Davenport, IA 52806

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Debbie C. Hammes
3010 W. 40th Street
Davenport, IA 52806

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address.
☐ Forwarding Address is:

Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

Bn

5043624315



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

OAC 9110
RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 16 PM 3:19

June 10, 1993

POSTMASTER
Richmond, VA 23221

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

C. Davenport Carrington
905 H Hamilton Street
Richmond, VA 23221

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- ☒ Effective date of the change:
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☐ No such address.
☐ Other (Please Specify).



BD-6-14-93
211



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OAC 9117
RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 16 PM 3:17

June 10, 1993

POSTMASTER
Wellsboro, PA 16901

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Francis C. Priset
Rt. 3, Box 310
Wellsboro, PA 16901

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624317

OAC 9119
RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 16 PM 3:16



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Roanoke, VA 24014

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

John M. Thompson
3291 Allendale St., SW
Roanoke, VA 24014

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,
Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
- ☐ Forwarding Address is:

- ☐ Effective date of the change:
- ☐ Moved, left no forwarding address.
- ☐ No such address.
- ☒ Other (Please Specify).

John M. Thompson Is Deceased



5043624318



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OAC 9/22
RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 16 PM 3:15

June 10, 1993

POSTMASTER
Rochester, PA 15074

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Mervin D. Cable
456 Adams St.
Rochester, PA 15074

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- ☒ Effective date of the change:
☒ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624319



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OAC 9/23
RECEIVED
FEDERAL ELECTION COMMISSION
JUN 16 1993
PH 3:15

June 10, 1993

POSTMASTER
Lyndora, PA 16045

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Steve Bobby
203 Bessemer Avenue
Lyndora, PA 16045

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☒ Other (Please Specify).

DECEASED - *WEN*



5043624320

OGC 9125

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 16 PM 3:14



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Clinton, NY 13323

CLINTON
Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Emma E. Stark
220 Utica Rd.
CLINTON, Clinton, NY 13323

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

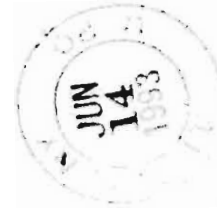
Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- ☒ Effective date of the change:
☒ Moved, left no forwarding address.
☒ No such address.
☒ Other (Please Specify).



Q

5043624321



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OAC 9126
RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 16 PM 3:13

June 10, 1993

POSTMASTER
Gilman, IL 60938

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Oliver Redenius
722 E. 3rd St.
Gilman, IL 60938

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

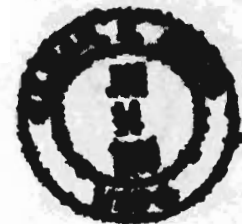
Alva E. Smith-Simpson

Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624322



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:51

June 10, 1993

POSTMASTER
Mauice, IA 51036

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Sharon Smits
MAURICE
Mauice IA 51036

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson

Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

Food expired

Effective date of the change:

- ☐ Moved, left no forwarding address.
☐ No such address.
☒ Other (Please Specify).

return to NW Iowa late August 1992

No + Maurice IA 51036

*might @ may try Orange City IA 51041
But not certain if correct town.*



5043624323



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

93 JUN 17 PM 3:50

June 10, 1993

POSTMASTER
Des Moines, IA 50311

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Lois E. Nicholl
4210 Forest Ave.
Des Moines, IA 50311

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☒ Forwarding Address is:
Bruce Nicholl
1117 C St. SE
Washington DC 20003
Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



OGC 9165
RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:50



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

June 10, 1993

POSTMASTER
Venice, FL 33595

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Constance H. Anderson
420 L Mission Trail, E
Venice, FL 33595

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,
Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
- ☐ Forwarding Address is:
 BCX 848
 SARASOTA, FL 34236 *Badcep should be 34230*
- ☐ Effective date of the change:
- ☐ Moved, left no forwarding address.
- ☐ No such address.
- ☒ Other (Please Specify).
 FORWARD WAS SUBMITTED ON 11/13/90. *expd*



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:51

June 10, 1993

POSTMASTER
Forest, OH 45843

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Clarabelle Weaver
Rt. 2 Box 148 16469 St. Rt. 67
Forest, OH 45843

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

16469 St. Rt. 67
Forest OH 45843

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

OAC 9160

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:52



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Fox Island, WA 98333

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Eleanor E. Kibler
1245 14th Avenue
Fox Island, WA 98333

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☒ Forwarding Address is:

10441 NE BRACKENWOOD
BRACKENWOOD ISLAND WA 98110

- Effective date of the change: 3/24/92
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624327

OGC 9155

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:54



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER

N. Branford, CT 06471

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Edith E. Schuckie
167 Branford Rd.
N. Branford, CT 06471

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address.
☐ Forwarding Address is:

Effective date of the change:
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☐ No such address.
☐ Other (Please Specify).

5043624328



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Olc 9153
RECEIVED
FEDERAL ELECTION COMMISSION
COUNSEL
93 JUN 17 PM 3:55

June 10, 1993

POSTMASTER
Scarsdale, NY 10583

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Sylvia Capua
76 Lyons Road
Scarsdale, NY 10583

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only



Mail is delivered to the above address.
Forwarding Address is:

- Effective date of the change:
- [] Moved, left no forwarding address.
 - [] No such address.
 - [] Other (Please Specify).

5043624329



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OGC 9151
RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:55

June 10, 1993

POSTMASTER
San Marcos, TX 78666

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

William L. Deck
1504 Loop 82, North
San Marcos, TX 78666

1504 Aguilera Spgs Dr.

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- [] Mail is delivered to the above address.
[] Forwarding Address is:

- Effective date of the change:
[] Moved, left no forwarding address.
[] No such address.
[] Other (Please Specify).

504362430



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OGC 9150

RECEIVED
FEDERAL ELECTION COMMISSION
JUN 17 1993

93 JUN 17 PM 3:56

June 10, 1993

POSTMASTER
Dixon, IL 61021

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Joseph F. Lack
1214 Adelheid Park
Dixon, IL 61021

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☒ Other (Please Specify). - Deceased



OAC 9145

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:56



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

June 10, 1993

POSTMASTER
Milton, MA 02187

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Sarah W. Rollins
65 Ruggles Lane
Milton, MA ~~02187~~ 02186

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,
Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
- ☐ Forwarding Address is:

- Effective date of the change:
- ☐ Moved, left no forwarding address.
 - ☐ No such address.
 - ☐ Other (Please Specify).

5043624332

OAC 9144

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 PM 3:58



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Eldridge, IA 52748

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Catherine S. Schaub
605 N. 5th Place
Eldridge, IA 52748

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

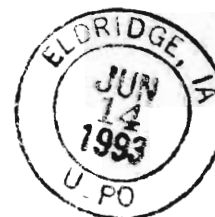
Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address.
☐ Forwarding Address is:

Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624333

93 JUN 17 PM 3:58



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Eldridge, IA 52748

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Raymond Burmeister
910 W. Donahue Street
Eldridge, IA 52748

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☒ Forwarding Address is:
505 West LeClaire Road
Eldridge IA 52748
Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



5043624334

OGC 9135

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 17 AM 9:29

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Mt. Pleasant, PA 15666

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Patricia Lynn Pisula
R.D. #3, Box 311A
Mt. Pleasant, PA 15666

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address.
☐ Forwarding Address is:

Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624335



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN 18 11 07 AM '93

OAC 9178

RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 18 PM 12:24

June 10, 1993

POSTMASTER
Lakewood, NJ 08701

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Rose Kohly
120-D Edinburgh Lane
Lakewood, NJ 08701

Under 39 C.F.R. § 265.3(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- ☒ Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



OGE 9176

JUN 18 11 07 AM '93

RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 18 PM 12:25



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Ft. McKavett, TX 76841

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Walter S. McGregor
Rt. 1 Box 47
Ft. McKavett, TX 76841

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,
Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
- ☐ Forwarding Address is:

- Effective date of the change:
- ☐ Moved, left no forwarding address.
 - ☐ No such address.
 - ☐ Other (Please Specify).

5043624337

OAC 9177 6114

JUN 18 11 04 AM '93



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Phoenix , AZ 85012

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

William E. Crossley
3821 N. 6th St. #2
Phoenix , AZ 85012

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

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[] Forwarding Address is:

[] Effective date of the change:
[] Moved, left no forwarding address.
[] No such address.
[] Other (Please Specify).



RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 18 PM 12:25

5043624338

OGC 9/179

JUN 18 11 15 AM '93



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

RECEIVED
FEDERAL ELECTION COMMISSION
JUN 18 PM 12:24

POSTMASTER
Muscatine, IA 52761

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Delbert D. Ketelsen
706 E 10th
Muscatine, IA 52761

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

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Effective date of the change:
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☐ No such address.
☐ Other (Please Specify).

5043624339



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

93 JUN 18 PM 12:21

June 10, 1993

POSTMASTER
Santa Maria , CA 93454

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Lawrence S. Iwamoto
605 E. Chapel
Santa Maria , CA 93454

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address.
☐ Forwarding Address is:

Effective date of the change:
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☐ No such address.
☐ Other (Please Specify).

5043624340

93 JUN 21 AM 10:40



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Exeter, NH 03833

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Patricia Stewart
~~Rm 2~~ Box 2, Cross Rd.
Exeter, NH 03833

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624341



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 21 AM 10:38

June 10, 1993

POSTMASTER
Doylestown, PA 18901

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Suzanne L. Jenkins
3964 Forest Drive
Doylestown, PA 18901

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
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☐ No such address.
☐ Other (Please Specify).



5043624342

93 JUN 21 AM 10:37



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Doraville, GA 30360

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Clare E. Shields
4212 Woodwin Court
Doraville, GA 30360

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

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☐ Forwarding Address is:

- ☒ Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

D. Bailey
Rt #2

5043624343

93 JUN 21 AM 10:36



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Davenport, IA 52803

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

George J. Houck
2507 East 29th Street
Davenport, IA 52803

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only



Mail is delivered to the above address.
Forwarding Address is:

- Effective date of the change:
[] Moved, left no forwarding address.
[] No such address.
[] Other (Please Specify).

Bm
6-17-93

5043624344



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463



POSTMASTER
Warren, MI 48089

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Michael Holzinger
8071 Westminister
Warren, MI 48089

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

☒ Mail is delivered to the above address.
☐ Forwarding Address is:

Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624345

93 JUN 21 AM 10:34



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Stony Brook, NY 11790

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Harold H. Beverage
P.O. Box BX
Stony Brook, NY 11790

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624346



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 21 AM 10:34

June 10, 1993

POSTMASTER
Farmingham, MA 01701

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Deborah L. Muzzy
91 Eaton Rd. West
Farmingham, MA 01701

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

ma 38 6/17

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN 21 11 28 AM '93

June 10, 1993

POSTMASTER
Nashua, NH 03060

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Peter Marino
53 Concord St.
Nashua, NH 03060

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☒ Other (Please Specify).

Unknown

Rte 6006



93 JUN 21 PM 3:35

RECEIVED
FEDERAL ELECTION COMMISSION

5043624348



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 22 PM 3:29

June 10, 1993

POSTMASTER
Eustis, FL 32726

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Alexander E. Carson
88 Coral St.
Eustis, FL 32726

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

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☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624349



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
93 JUN 25 PM 3:25

June 10, 1993

POSTMASTER
Chicago, IL 60657

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Douglas B. Funkhouser
3258 N. Lakewood
Chicago, IL 60657

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☒ Mail is delivered to the above address.
☐ Forwarding Address is:

- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

93 JUN 25 AM 9:25

June 10, 1993

POSTMASTER
Nashua, NH 03063

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Diane M. Delorey
18 Sims Street
Nashua, NH 03063

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

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- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



At 6350
GP



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

93 JUN 28 PM 3:42

June 10, 1993

POSTMASTER
Greenwich, CT 06830

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Thaddeus Hanser
700 Steamboat Rd.
Greenwich, CT 06830

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:

704 STEAMBOAT RD APT. 21
GREENWICH, CT 06830

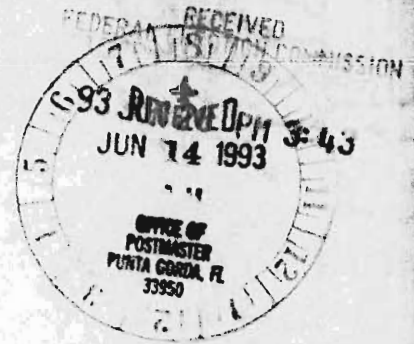
- Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).

5043624352



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993



POSTMASTER
Punta Gorda, FL 33950

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Annie J. Pritz
325 Charlevoi
Punta Gorda, FL 33950

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- ☐ Mail is delivered to the above address.
☐ Forwarding Address is:
150 W. RETTA ESPERANADE
Apt 325
Effective date of the change:
☐ Moved, left no forwarding address.
☐ No such address.
☐ Other (Please Specify).



MS Perce
6/14

5006

5043624353



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

93 JUN 30 AM 9:15

June 10, 1993

POSTMASTER
Bergenfield, NJ 07621

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Clara A. Radcliffe
105 Wilber Rd.
Bergenfield, NJ 07621

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

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☐ No such address.
☐ Other (Please Specify).



5043624354

93 JUL -8 PM 3:52



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1993

POSTMASTER
Stockton, CA 95205

Re: MUR 2594

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you verify whether the address given below is one at which mail for the individual listed below currently is being delivered, or provide us with the current mailing address for this individual, is different than the one shown.

Sherman Hayhurst
3431 Cherryland
Stockton, CA 95205

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this regard, I hereby certify that the Federal Election Commission, an agency of the United States Government, requires this information in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Should you have any question or require further information, please contact me at (202) 219-3400.

Sincerely,

Alva E. Smith-Simpson
Alva E. Smith-Simpson
Paralegal Specialist

For Postal Service Use Only

- [] Mail is delivered to the
[] Forwarding Address is:

HAYH431 952150216 1N 07/06/93
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

- Effective date of the
[] Moved, left no forwarding address
[] No such address.
[] Other (Please Specify)

HAYH431 952050216 1N 07/06/93
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NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER



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OGC 0634
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
DEC 20 PM 12:16

The
LaRouche Democratic
Campaign

P.O. Box 17000, Washington, D.C. 20041
210 Leesburg, VA 22078

December 4, 1993

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

Re: MUR 2594

Dear Mr. Noble:

5043624356

This is to inform you that in light of the opinion by the Court of Appeals in Federal Election Commission v. NRA Political Victory Fund, et al. (D.C. Cir., October 22, 1993), LaRouche Democratic Campaign considers the above enforcement action to have been conducted by the Commission without authority, and any conclusions reached under this investigation therefore to be void and without legal effect. We therefore understand the case to be closed, unless the Commission informs us otherwise, including in such notice whatever legal argument the Commission deems sufficient to override the opinion of the Court.

We wish further to inform you that we do not consider as legally valid any "re-voting" or "ratifying" of the determinations in this case, if these do not include both (a) a full re-evaluation of all the evidence and legal reasoning accumulated in the case to date, and (b) opportunity for the Committee to review evidence on which the Commission has relied, and which has been available to the unlawfully seated ex officio commissioners but repeatedly denied to the Committee as respondent.

Sincerely yours,


Edward Spannaus
Treasurer

cc: Richard Mayberry, Esq.

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FEDERAL ELECTION
COMMISSION
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**The
LaRouche Democratic
Campaign**

~~P.O. Box 17000, Washington, D.C. 20041~~
P.O. Box 210 Leesburg, VA 22075

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

JAN 12 12 06 PM '94

January 6, 1994

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

Re: MUR 2594

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FEDERAL ELECTION
COMMISSION

Dear Mr. Noble:

This is a followup to our letter of December 4, 1993, to which we have had no response.

Since issuing that letter, several events have confirmed our analysis. First, the NRA decision has been extended, in the Order issued November 24, 1993 by Judge Hogan dismissing the FEC's case against National Republican Senatorial Committee in the U.S. District Court for the District of Columbia (Civil Action No. 93-1612).

Second, the Commission held press conference of December 13, 1993, laying out the means by which the Commission planned to streamline its enforcement procedures and clear its docket. The above MUR was not included among those closed, though the underlying events are far older than cases closed out for excessive age (occurring in late 1987 or early 1988, where activity prior to the 1990 election cycle is considered, by the Commission's publicly announced criteria, to be "stale").

Nor can pursuit of this MUR be justified on the grounds of money amounts involved, which are of course very, very small in the scale of either this presidential primary campaign itself, or any other; and it can hardly be claimed that the violations, even if they occurred -- which they did not -- had any effect whatsoever on the election.

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Under these circumstances, any further action by the Commission on this MUR would constitute an explicit violation of its own "objective" criteria for enforcement action, criteria which were publicized with great fanfare and public relations efforts by the Chairman and Vice Chairman personally. It is therefore clear, even by the Commission's own professed standards, that further action cannot be substantially justified. Under these circumstances, any further action on MUR 2594 other than terminating it, will result in this committee's filing of a motion for all attorney fees and costs required in defense.

Sincerely yours,



Edward Spannaus
Treasurer

cc: Richard Mayberry, Esq.
Odin P. Anderson, Esq.
James F. Schoener, Esq.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JANUARY 13, 1994

Edward Spannaus, Treasurer
The LaRouche Democratic Campaign
108 North Street, NE
Leesburg, Virginia 22075

RE: MUR 2594
The LaRouche Democratic Campaign
and Edward Spannaus, as treasurer

Dear Mr. Spannaus:

This letter is in response to your letter dated December 4, 1993 which was received on December 20, 1993, and your letter dated January 6, 1994 which was received on January 12, 1994. On December 19, 1992, the Federal Election Commission found probable cause to believe The LaRouche Democratic Campaign ("Committee" and/or "LDC") and you, as treasurer, violated 26 U.S.C. § 9042(c) and knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3).

As you know, on October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, No. 91-5360 (D.C. Cir. Oct. 22, 1993). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters. Accordingly, this matter has not been closed as a result of the NRA decision.

If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

cc: Richard Mayberry, Esq.

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opc 0801

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2594

NAME OF COUNSEL: Odin P. Anderson, Esq.

ADDRESS: Anderson, Rossi & Davis, P.C.
4 Longfellow Place, Suite 3705
Boston, MA 02114

TELEPHONE: (617) 742-8200 Business
(617) 742-7876 Fax

NAME OF CO-COUNSEL: James F. Schoener, Esq.

ADDRESS: 1712 Glenhouse Drive, #315
Sarasota, FL 34231

TELEPHONE: (813) 966-6920

The above-named individuals are hereby designated as my primary counsel and co-counsel, and are authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Jan. 19, 1994
Date

John S. Treasner
Signature

RESPONDENT'S NAME: LaRouche Democratic Campaign

ADDRESS: P.O. Box 210
Leesburg, VA 22075

HOME PHONE: _____
BUSINESS PHONE: (703) 777-9451

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RECEIVED
FEDERAL BUREAU OF INVESTIGATION

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

MARCH 7, 1994

Odin P. Anderson, Esquire
Anderson, Rossi & Davis
Four Longfellow Place
Suite 3705
Boston, Massachusetts 02114

Re: MURs 1852 and 2594

Dear Mr. Anderson:

When we last spoke about the possibility of conciliating these matters, you indicated that you needed some time to look at the history of our negotiations and to discuss some issues with your clients. You had suggested that you would get back to me so that we could talk further approximately a week later. I am concerned that I have not heard from you to date, and am hoping that by sending you this letter I can get our discussions started.

I will be away on March 11 and March 14, but hope that you can call me sometime on March 15 with some ideas regarding the language that your clients are willing to accept. I look forward to hearing from you.

Sincerely,

Abigail A. Shaine
Abigail A. Shaine
Assistant General Counsel

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

DEC 1 3 31 PM '84

In the Matter of

The LaRouche Campaign and Edward
Spannaus, as treasurer

Independent Democrats for LaRouche
and Gerald Rose, as treasurer

Publication and General
Management, Inc.

Fusion Energy Foundation, Inc.

Campaigner Publications, Inc.

Caucus Distributors, Inc.

and

The LaRouche Democratic Campaign
and Edward Spannaus, as treasurer

MUR 1852

MUR 2594

SENSITIVE

GENERAL COUNSEL'S REPORT

I. Introduction.

These two matters involve the 1984 and 1988 presidential
campaigns of Lyndon B. LaRouche, Jr.

In MUR 1852, the Commission found probable cause to believe
that LaRouche's 1984 primary and general election committees,
their treasurers and four LaRouche-related corporations -- The
LaRouche Campaign ("TLC") and Edward Spannaus, as treasurer;
Independent Democrats for LaRouche ("IDL") and Gerald Rose, as
treasurer; Campaigner Publications, Inc. ("Campaigner"); Caucus
Distributors, Inc. ("CDI"); Fusion Energy Foundation, Inc.
("Fusion"); Publication and General Management, Inc. ("PGM") --

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knowingly and willfully violated various provisions of the Act.^{1/}
In MUR 2594, the Commission found probable cause to believe that
LaRouche's 1988 principal campaign committee, The LaRouche
Democratic Campaign, and Edward Spannaus, as treasurer, violated
26 U.S.C. §§ 9042(c), and knowingly and willfully violated
2 U.S.C. §§ 434(b)(2) and (3).

The notification letters sent to Caucus Distributors,
Campaigner Publications and the Fusion Energy Foundation were
returned to the Commission by the Postal Service and no response
was received. Counsel for the other respondents replied to the
Commission's conciliation offers, but conciliation negotiations
failed

1/ For the Commission's convenience, a copy of the Certification
is attached as Attachment 1.

The Commission also found probable cause to believe that
Citizens for Freeman ("Citizens") and Belinda Haight, as
treasurer, knowingly and willfully violated 2 U.S.C. §§ 441b
and 434(b), and that the Los Angeles Labor Committee knowingly and
willfully violated 2 U.S.C. §§ 433, 434, 432(h), 438(a)(4) and
441a(a)(8), but determined to take no further action and closed
the file with respect to them.

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After the Commission terminated conciliation, this Office began reviewing these two matters to determine their suitability for litigation. As part of that review, the Office of the General Counsel staff tried to contact the complainants and other witnesses in these matters to determine their availability and willingness to assist in the litigation, if necessary. That review has revealed that many of the complainants are no longer available to appear as witnesses for the Commission. In several instances, the witness' health reportedly has failed or the witnesses have died since submitting their complaints. In other instances, the witnesses simply could not be located. This Office has also discovered several other problems with regard to litigating these cases.

Given the length of time that has elapsed since these violations occurred and the competing demands upon the Commission's limited resources, the Office of the General Counsel now concludes that these matters should not be pursued further. For the reasons discussed below, this Office therefore

recommends that the Commission take no further action against the remaining respondents in MURs 1852 and 2594, and close the files in those two matters. In addition, this Office recommends that the Commission administratively close the file in a related litigation matter involving one of the respondents. FEC v. Caucus Distributors, Inc., 812 F.2d 1400 (4th Cir. 1987), on remand, No. 86-1149 (E.D.Va. petition for contempt granted July 18, 1986).

II. Background.

Since the Commission opened MUR 1852 in December, 1984, this investigation has been significantly delayed by numerous events. These events included the refusal of various LaRouche committees and related organizations to comply with Commission issued subpoenas, untimely responses to Commission findings, untimely responses to Commission conciliation proposals, and various other extensions of time which included settlement meetings and discussions.

This investigation was also hampered by the LaRouche organizations moving their base of operation from New York to Leesburg, Virginia, after the Commission had made various findings, and filed subpoena enforcement actions. This relocation, with no forwarding addresses to the Commission, caused many of our letters and notifications of Commission action to the LaRouche respondents to be returned to this Office undelivered by the post office.

A major reason for the delay in the Commission's investigation was caused by the Justice Department's criminal

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prosecution of LaRouche and the other related respondents. In 1987 the FBI, IRS and various other law enforcements agencies raided the LaRouche headquarters and seized all records and other information. These records contained information which the Commission had requested from the LaRouche respondents, but was now not available to them nor the Commission. The Justice Department was unwilling to share the majority of these documents and virtually all the relevant documents with the Commission until its criminal prosecution was complete. The Justice Department also requested that we not contact witnesses that they were planning to use in their criminal prosecution until completion.

The Boston criminal prosecution ended in a mistrial in May 1988. Since the Justice Department decided to retry the case in Virginia, this Office again had to wait to gain access to the relevant documents, witnesses, and information. In 1989 the Virginia criminal prosecution, which also included an appeal was finally completed. This Office was then able to obtain the transcripts from the Virginia criminal prosecution. These transcript were voluminous and took considerable time to review; however, they produced relevant information for the Commission's investigation into this matter.

MUR 2594 was plagued with various delays caused by respondents' request for the names and addresses of persons who said they did not intend to contribute to LaRouche's 1988 presidential campaign. The demand for names continues to date.

In these matters this Office undertook numerous attempts at

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conciliation.

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A. MUR 1852.

Matter Under Review 1852 originated as a referral from the Audit Division regarding The LaRouche Campaign and its treasurer. During 1985, 1986 and 1987, twenty-one other matters were merged into MUR 1852. These included eleven complaints alleging violations by The LaRouche Campaign (MURs 1793, 1798, 1825, 1827, 1862, 1877, 1905, 1976, 2065, 2084 and 2143); three complaints alleging violations by Independent Democrats for LaRouche (MURs 1991, 2090 and 2143) and one complaint alleging violations by both TLC and IDL (MUR 2013). Three other matters which were internally generated based upon letters or referrals received by the Commission also were merged into MUR 1852: MUR 1797 (unsworn letter from Dr. James E. Marvel regarding The LaRouche Campaign); MUR 1882 (referral from California District Attorney's office enclosing letter from John Converse regarding his parents' transactions with Independent Democrats for LaRouche); and MUR 1979 (referral from New York Attorney

General's Office enclosing letter from Rosemary G. Mopper). Since five of these merged matters also involved alleged violations by other LaRouche related entities, another complaint generated matter (MUR 1556) involving similar allegations and two of the same parties (Campaigner Publications and Fusion Energy Foundation), also was merged into MUR 1852. Finally, MUR 2092 (an Audit referral involving The LaRouche Campaign) and MUR 2125 (a RAD referral involving Independent Democrats for LaRouche) also were merged into MUR 1852.

1. Complaints, and Referrals From State and Local Agencies.

According to the administrative complaints merged into MUR 1852, Caucus Distributors regularly solicited and received funds for the LaRouche campaigns and/or Citizens For Freeman, the principal campaign committee of 1982 Congressional candidate Debra Freeman, and periodically transferred funds to those campaigns. Not only was there evidence that Caucus acted as a conduit for such contributions, but information on the record also indicated that Caucus had expended more than \$1,000 during a calendar year for the purpose of influencing a federal election, thus becoming a political committee within the meaning of the Act. The Commission therefore found probable cause to believe that Caucus both failed to register and report as a political committee as required by 2 U.S.C. §§ 433 and 434, and failed to place all contributions it received into a designated campaign depository in violation of 2 U.S.C. § 432(h).

Although the Commission has not viewed the three other

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corporations (Campaigner, Fusion and PGM) as political committees (and therefore not required them to register and report with the Commission), the Commission found probable cause to believe that they violated the Act by making contributions themselves, in violation of 2 U.S.C. § 441b(a) and recipients. The Commission based this finding, in part, on the testimony of Christian A. Curtis, a fundraiser for TLC, IDL and the LaRouche-related corporations, at the criminal trial in Alexandria, Virginia, that his living expenses were paid by Fusion while he was a fundraiser and that he received a stipend from PGM to compensate him for his fundraising efforts.

To support its probable cause finding the Commission also relied on evidence indicating that the corporations directly provided funds to the campaigns for television advertising and other purposes. This information included the trial and deposition testimony of Richard Yopez, that the campaigns periodically billed the corporations for services rendered, even though no such services had been performed, and the corporations then reimbursed the two committees.

The Commission based its finding that the 2 U.S.C. § 441b violations were knowing and willful, in part, on evidence that funds were requested and received by the corporations for non-campaign purposes, such as the purchase of books or magazine subscriptions, but then were provided to (and used by) the campaigns without their knowledge or consent. The Commission also took into consideration information indicating that other individuals made their checks payable to the corporations with

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the express knowledge and intent that their contributions would be utilized for the campaign. For example, Lucille Piper stated in her complaint that she was told by corporate representatives that the funds she provided to the corporations would be used for LaRouche's presidential campaign, including the costs of LaRouche's television broadcasts. Similarly, Mrs. Ordell E. Bradley stated in her complaint that she made \$30,000 in loans to Publication and General Management with the intent of supporting LaRouche's campaign. Another complainant, Ann G. Selstad, stated that she believed her funds were expended for the campaign.^{3/}

All the foregoing individuals allegedly intended to provide funds to the corporations, some with the express intention of contributing to the campaign. In contrast, other complainants, some with prior financial dealings with the corporations or the campaigns, alleged that they had no intention of contributing (or making additional contributions), but that inflated or unauthorized charges appeared on their credit card statements. Mae E. Driver and Lucille Piper, both testified at their depositions that such contributions were charged to their credit cards without their permission. The complaints filed by Roger D. Rosser, Paul Ruzanski, Robert P. Seeber and Ronald T. Stewart also alleged similar inflated or unauthorized credit card charges.

^{3/} According to the unsworn letter from Dr. James Marvel, he was asked by LaRouche fundraisers to make loans to the campaign through Campaigner.

Christian Curtis testified at LaRouche's criminal trial and during his deposition with this Office that, when soliciting contributions for TLC and IDL, fundraisers would inform contributors that the contribution limit for individuals was \$1,000, but that they could contribute another \$1,000 in the name of their spouse. Curtis claimed that the fundraisers normally charged these additional amounts to the credit card without the spouse's authorization. Another non-complainant witness, Janet Rang, testified that one \$1,000 loan to TLC was charged to her husband's credit card in this manner. That contribution was reported by TLC as a contribution from Rang's husband, Edgar W. Rang. The information indicating that the campaigns were attributing portions of some contributions to spouses and other family members in an apparent attempt to evade the contribution limitations caused the Commission to conclude that these violations of 2 U.S.C. § 441a(f) were knowing and willful.

Both alone and when aggregated with transfers from the corporations, many of the campaigns' receipts the Commission found had exceeded the applicable contribution limitations. The complaint filed by Catherine L. McMullen in MUR 2090 identified \$3,225 in additional loans to TLC. Frank Harrison Bell, a campaign volunteer, testified that he knew of numerous instances where the committees accepted excessive contributions from individuals.

Even when the complainants actually intended their funds to go directly to the campaigns, the Commission concluded that some

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transactions were misreported on the campaigns' reports. The Commission concluded that there was probable cause to believe that some of the claimed inflated and unauthorized credit card charges, for example, were reported as loans or contributions, when they should have been reported as "other receipts." This conclusion was based in part on the complaint of Galouse M. Elgal which stated that he gave The LaRouche Campaign two \$100 checks, each bearing the designation "loan," but TLC reported those receipts as contributions and submitted them for federal matching funds. In addition, other information indicated that receipts were omitted from the campaigns' disclosure reports altogether. The Commission also considered the fact that the contributions and loans listed in the complaints filed by Rosemary G. Hopper and Ann Linda Polcari were different than those reported to the Commission by The LaRouche Campaign.

Based on all the foregoing information the Commission found probable cause to believe that the campaigns accepted excessive contributions in violation of 2 U.S.C. § 441a(f). Based on this information, together with information indicating that the respondents furnished false information regarding that activity to the Commission during the audit field work or on the committee's matching fund submissions and Statements Of Net Outstanding Campaign Obligations, the Commission concluded that the committees also knowingly and willfully violated 2 U.S.C. §§ 434(b), 11 C.F.R. § 110.6(d)(2) and 26 U.S.C. § 9042(c). Based on information indicating a failure to deposit all contributions received by the corporations into a designated

depository the Commission also concluded that there was probable cause to believe that there were violations of 2 U.S.C. § 432(h) by the committees.

Finally, Christian Curtis testified during his deposition that the corporations and campaigns both used individual contributor information from disclosure reports acquired from the Commission to solicit contributions despite the knowledge that such use of the information was illegal. Based on this testimony the Commission found probable cause to believe that those respondents also knowingly and willfully violated 2 U.S.C. § 438(a)(4).

Despite the fact that there was general testimony during the criminal trial regarding the fundraising practices of the corporations and campaign committees,^{4/} the specific contributions and contributors at issue in MUR 1852 were not independently discussed. Indeed, the only direct testimony obtained to date regarding the particular transactions here is the initial administrative complaints (and one affidavit obtained by the Commission from Dr. James E. Marvel) and a few depositions transcripts. Those complaints are of limited value for litigation purposes. Not only are some of the complaints conclusory and/or contradictory, but two of them were filed by the spouses of the purported contributor, rather than by the contributors themselves (Ordel E. Bradley in MUR 1862, and

^{4/} This testimony was summarized in the December 27, 1990 General Counsel's Brief and discussed in the May 11, 1992 General Counsel's Report.

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Robert P. Seeber in MUR 2065). Maryland Congresswoman (now Senator) Barbara A. Mikulski's complaint in MUR 1556 also involved solely other people's contributions. Similarly, the unsworn letter attached to the referral in MUR 1882 was signed by John Converse, an attorney and the son of the purported contributors. He indicated that his only knowledge was what his parents had told him and that he never had any personal knowledge regarding the transactions. While these statements certainly may be considered by the Commission, such hearsay statements are generally not admissible in court and the contributors themselves cannot testify (one is dead and the other is mentally impaired).

Ordinarily, the complainants and other individuals could be subpoenaed as witnesses in a Commission enforcement suit. In this instance, however, at least four of the complainants and witnesses are now deceased: Ann Linda Polcari (MUR 1798); John B. Gibson (MUR 1825); Helen C. Converse (MUR 1882); August Popevich (MUR 2281).^{5/} In addition, several other complainants or witnesses are in poor health -- Richard C. and F.L. Swanson (MUR 1877); R.G. Converse (MUR 1882) -- or now have difficulty remembering the underlying events -- E. William Gradt

^{5/} When deposed by the Commission, Popevich testified that a Caucus fundraiser told him his contributions to CDI would be used for LaRouche's presidential campaign. However, this statement will not be admissible at trial because Mr. Popevich has died and his testimony was not prepared in an adversarial situation. Such statements are admissible at trial to impeach the witness. In this present matter Mr. Popevich has perished, and is thus unavailable as a witness at trial. Accordingly, the statements Mr. Popevich made when deposed are inadmissible in a trial of this matter.

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(MUR 1905).

In addition, several other witnesses cannot be located to determine their availability to testify: Galoust N. Elgal (MUR 1827); Roger D. Rosser (MUR 1991); Richard C. Wiles (MUR 2084);^{6/} and Catherine L. McMullen (MUR 2090). Efforts to obtain current addresses or telephone numbers from the Postal Service, directory assistance and the Commission's contributor indices for these individuals were fruitless.^{7/}

Documentary evidence is also in scarce supply. Although some documentation (typically credit card statements and related correspondence) was submitted with the complaints and referral letters, some of these documents are incomplete. While a few complainants recently offered to check whether they still had any documentation regarding their 1984 transactions with the corporations and campaigns, the other witnesses that we were able to contact indicated that they had already provided all available documents and/or that they no longer possessed any such documents. Of course, even where sufficient documents have already been submitted, there still might be a problem

6/ Wiles is a respondent himself. Thus, even if he could be located, his cooperation is not assured.

7/ Furthermore, one witness -- Rosemary G. Hopper, the author of the letter attached to the referral in MUR 1979 -- has recanted her prior allegations that her funds were used as intended. She acknowledged in a recent telephone conversation with our staff that she intended to make a \$50 contribution (not a loan as previously contended). Thus, she has now contradicted her prior statement, which was the sole basis for the Commission's probable cause to believe finding that The LaRouche Campaign knowingly and willfully misrepresented that \$50 contribution and falsely including it on the committee's NOCO statement.

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authenticating the documents previously submitted if the witnesses are no longer available to testify on behalf of the Commission.

Although the Commission previously sought documents from the corporations and campaigns, those efforts largely were unsuccessful, and there is no indication that discovery would be more productive during litigation. The Commission previously issued subpoenas to The LaRouche Campaign during the Commission's audit of TLC. When The LaRouche Campaign resisted complying, the Commission brought a subpoena enforcement suit in federal district court. The court subsequently enforced the Commission's subpoena with some modifications, FEC v. The LaRouche Campaign, 644 F.Supp. 120 (S.D.N.Y. 1986), aff'd. as modified, 817 F.2d 233 (2nd. Cir. 1987), but TLC then failed to comply with the subpoena, claiming that all responsive records were in the possession of Caucus Distributors. A subsequent subpoena (and subpoena enforcement action) against Caucus was similarly unavailing. The courts upheld the Commission's subpoena, see FEC v. Caucus Distributors, Inc., 812 F.2d 1400 (4th Cir. 1987), and even held Caucus in contempt and imposed daily penalties (which are still accruing) to compel compliance with the Commission's subpoena, but Caucus never complied, contending that the Justice Department had seized all its records and never returned them. If so, this would preclude the Commission from obtaining those records from Caucus during

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discovery.^{8/}

Finally, the Commission deposed George R. Canning, the corporate secretary of Caucus, but Canning was uncooperative, repeatedly claiming lack of memory or asserting the Fifth Amendment privilege against self-incrimination. Although an adverse inference could be drawn from Canning's privilege claim, such an inference would only be useful against Canning and Caucus.

2. MUR 2092.

MUR 2092 involves probable cause findings based on information concerning excessive contributions received by The LaRouche Campaign from 62 individuals. Part of the excessive contributions (\$4,270) were refunded within 90 days, but the remainder of the refunds (\$6,205) took between 92 and 312 days.

In light of the questions regarding the committee's fundraising practices raised by the complaints already received by the Commission, confirmation letters were sent by the Commission to each excessive contributor inquiring whether they

^{8/} During our investigation, the Office of General Counsel reviewed the transcripts and exhibits from the Alexandria criminal trial. In addition, the U.S. Attorney's Office in Alexandria obtained a court order permitting Commission legal staff to review sealed documents relating to the Virginia grand jury proceeding, and a portion of those documents were examined in anticipation of possible litigation. It is unclear, however, how many of those documents were originally obtained from Caucus. Indeed, many of the documents appeared to have been obtained from the individual defendants in the Alexandria criminal trial. In any event, the documents we reviewed were not directly helpful since they primarily related to other activity by respondents.

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intended to make a loan or contribution to the campaign. In making its probable cause findings, the Commission considered two reported contributors' responses that they did not intend to contribute to TLC. When recently contacted by telephone, however, one of these contributors (John Jack Fahey) said that he intended to help LaRouche's presidential campaign. The other contributor (Alexander S. Haig) refused to answer questions and hung up, but not before he had said he was not an American citizen. Thus, while the documents already in hand (the campaign's reports, refund checks and credit card debit slips) provide evidence of section 441a(f) violations by The LaRouche Campaign, there is no evidence of other violations by the campaign in connection with these contributions.^{9/}

3. MUR 2125.

In MUR 2125 the Commission found probable cause to believe that IDL and its treasurer, violated 2 U.S.C. §§ 434(b)(2) and 441a(f), and that three individual contributors violated 2 U.S.C. § 441a(a)(1)(A). The Commission based these conclusions on information indicating that there were 152 excessive contributions (many in the form of loans) reported by Independent Democrats For LaRouche, two of which exceeded \$2,000. Information obtained during the investigation indicated that: forty-seven contributions were never refunded; eleven other contributors received partial refunds, but the amount of the contributions still exceeded \$1,000; and seventy-eight

^{9/} For discussion of reasons for not pursuing these violations in litigation, see Section III below.

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others received refunds reducing the aggregate amount of the contribution to \$1,000 or less, but none of these adjustments occurred within thirty days. Finally, although another seventeen contributors were reported as making excessive contributions, information gathered indicated that the entire amount of the contributions was refunded by IDL's bank from IDL's frozen assets.

No confirmation letters were sent to the contributors to determine whether the contributions were correctly reported. Although this Office recently attempted to contact those contributors, many of the mailing addresses listed on the committee's reports for them are no longer current and directory assistance was only able to provide telephone numbers for 53 of the 152 contributors.

None of the eleven individuals who responded to our telephone inquiries are currently willing to deny making their reported contributions. The only two individuals who now reflect any doubts at all were one gentleman who said he was "ill in bed" and could not remember ever hearing of IDL, and another individual who was not sure about his contribution, but thought it sounded like something he would do. Accordingly, while the excessive contributions could be proven through the campaign's disclosure reports, the misreporting violation would be difficult to prove in court.^{10/}

^{10/} For discussion of the reasons for not pursuing these violations in litigation, see Section III below.

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B. MUR 2594.

While MUR 1852 was pending, The LaRouche Democratic Campaign, LaRouche's 1988 principal campaign committee, submitted an application for primary matching funds to the Commission listing 1,693 contributions. Pursuant to an agreement between the campaign and the Commission, the Audit Division sent contributor confirmations to 1,062 of these contributors. Forty-three of the 713 individuals who responded to the survey indicated that they had not intended to make contributions to LaRouche's campaign. Many of these responses included unsolicited written comments indicating that the individual believed the funds were for other specific purposes or suggesting that other irregularities occurred. These responses provided the basis for the Commission's probable cause finding that The LaRouche Democratic Campaign and its treasurer knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3) by falsely reporting the receipt of those contributions.^{11/} The Commission also found probable cause to believe that those respondents violated 26 U.S.C. § 9042(c) by submitting the names of these individuals for matching funds.

The sole documentary evidence of these violations is the 43 responses received from purported contributors, all of which are unsworn. Twenty-eight of those "contributors" now are

^{11/} In addition to the receipt of these written responses, Commission staff also received telephone calls from other individuals who had received the Commission's confirmation letters. Those calls also cast doubt on the accuracy of the campaign's submission.

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deceased, have little or no recollection of the contribution, or recall intending to contribute to the LaRouche campaign (thus contradicting their earlier response). We were unable to reach another eight individuals who either did not answer their phone or failed to return our telephone messages. Although the remaining seven individuals still recall, sometimes vaguely, that they did not intend to contribute to LaRouche, one of these "contributors" had signed her spouse's name to the contribution check, thus raising other potential problems. Only one of the seven potential witnesses was definite about the amount of money involved, and none was positive about the year or could identify the person at the campaign they had dealt with. Several witnesses also indicated that they were reluctant to travel or were otherwise not enthusiastic about cooperating with the Commission in an enforcement suit. In fact, one witness informed us that she wanted nothing more to do with the Commission's investigation because she only lost five dollars. Indeed, the total dollar amount of the contributions by these contributors was very small, totaling only \$235.

III. DISCUSSION.

As discussed previously, the Commission found probable cause to believe that respondents committed numerous violations. In a court action, each of these violations would have to be proven independently. Although some of these might be relatively simple to prove in court, other violations probably will be more difficult.

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The section 441a(f) violations by The LaRouche Campaign and Independent Democrats For LaRouche (MURs 2092 and 2125) are relatively straightforward, and likely could be proven simply by introducing the disclosure reports the two committees filed with the Commission. Those disclosure reports, which were submitted under penalty of law, provide evidence, albeit indirect evidence, of the committees' acceptance of the excessive contributions from individuals. Similarly, the section 438(a)(4) and 441b(a) violations by the corporations and the campaigns probably could be established through the testimony of Christian Curtis and other individuals who testified at the Virginia criminal trial, assuming that they fully cooperate with the Commission and that their testimony remains the same.

However, most of the other violations turn, at least in part, on the intent of the numerous individuals who provided funds to the LaRouche organizations. This includes the purported "contributors" in both MUR 1852 and those in MUR 2594. Although the Commission already possesses sworn statements from some of these individuals (such as an administrative complaint, affidavit or deposition transcript), those documents may not be admissible in court if the writer has died or repeats information learned from someone else. Thus, live testimony from the individuals would be essential in any civil enforcement suit. Indeed, such testimony would be particularly crucial in those instances where the Commission alleges that financial activity was misrepresented by the committees, since the

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Commission would be seeking to refute the information contemporaneously disclosed on the respective committee's reports. As already discussed, many of the individuals unfortunately can no longer be located or are not available to testify. Even in those instances where the witnesses are willing to testify, the dollar amounts involved in the transactions often are relatively small. While this does not negate the violations by respondents, it does weigh in favor of not pursuing them further.

This case also presents several other problems. For example, all the Commission's actions in these matters, including the probable cause determinations against respondents, predate the United States Court of Appeals for the District of Columbia Circuit's decision in FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C.Cir. 1993) ("NRA"), cert. granted, 114 S.Ct. 2703 (1994). Prior to authorizing suit against respondents, the Commission therefore would want to ratify or revoke its prior decisions in these matters and conduct another period of conciliation negotiations.^{12/}

^{12/} Another issue which likely would be raised by the respondents in any litigation is whether a general statute of limitations, such as 28 U.S.C. § 2462, is applicable here. That provision, which generally applies to suits for civil fines and penalties, provides that:

Except as otherwise provided by Act of Congress, an action, suit or proceeding for enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, shall not be entertained unless commenced within five years from the date when the claim first accrued if, within the same period, the offender or

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Given the age of these violations, most of which date from the 1984 election cycle, the public interest probably would be better served by focusing the Commission's limited resources on other enforcement matters. Indeed, there probably is little to be gained from filing suit over these old violations. Even if the Commission prevailed in such a suit, it is uncertain whether the district court would impose a meaningful judgment, particularly given the time which has elapsed, the small dollar amounts involved in the violations and the fact that the committees are no longer active. In addition, LaRouche and TLC treasurer Spannaus have already served time in prison. There is also the additional question of whether the respondents could satisfy any meaningful court judgment.

For all the foregoing reasons, the Office of General Counsel recommends that the Commission take no further action

(Footnote 12 continued from previous page)
the property is found within the United
States in order that proper service may
be made thereon.

The D.C. Circuit recently held in 3M (Minnesota Mining and Manufacturing) v. Environmental Protection Agency, 17 F.3d 1452 (D.C. Cir. 1994), that this provision prevented the EPA from assessing civil penalties for violations allegedly committed more than five years before EPA commenced its proceeding under 15 U.S.C. § 2615. 17 F.3d at 1463.

The Office of General Counsel believes that Commission enforcement suits are distinguishable from the proceedings at issue in the 3M decision. Furthermore, even if the 3M decision controlled here, it would only bar the imposition of monetary penalties, and not prevent the Commission from obtaining declaratory, injunctive and other appropriate relief. Even though we believe the Commission could prevail on this statute of limitations issue, the amount of time which has elapsed since the violations here occurred does not create a favorable factual record for litigating this issue.

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against the remaining respondents in MURs 1852 and 2594, and close the files in those two matters. In addition, this Office recommends that the Commission close the file in the related subpoena enforcement action against one of the respondents. PEC v. Caucus Distributors, Inc., 812 F.2d 1400 (4th Cir. 1987), on remand, No. 86-1149 (E.D.Va. petition for contempt granted July 18, 1986). Assuming that the Commission decides not to pursue respondents for the violations at issue in MURs 1852 and 2594, there is no need to pursue the subpoena enforcement action any further.

IV. RECOMMENDATIONS

1. Take no further action against the remaining respondents in MURs 1852 and 2594, and close the files in those two matters.
2. Close the file in PEC v. Caucus Distributors, Inc., 812 F.2d 1400 (4th Cir. 1987), on remand, No. 86-1149 (E.D.Va. petition for contempt granted July 18, 1986).
3. Approve the appropriate letters.

Date

12/1/94

Lawrence M. Noble
General Counsel

Attachments

1. Probable Cause Certification in MUR 1852.
2. Probable Cause Certification in MUR 2594.
3. Certifications MUR 1852 and 2594.

Staff assigned: Phillip L. Wise

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The LaRouche Campaign and Edward)
Spannaus, as treasurer;)
Independent Democrats for LaRouche)
and Gerald Rose, as treasurer;)
Publication and General Management,) MUR 1852
Inc.;)
Fusion Energy Foundation, Inc.;)
Campaigner Publications, Inc.;)
Caucus Distributors, Inc.;)
The LaRouche Democratic Campaign) MUR 2594
and Edward Spannaus, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 7, 1994, the Commission decided by a vote of 5-0 to take the following actions in MURs 1852/2594:

1. Take no further action against the remaining respondents in MURs 1852 and 2594, and close the files in those two matters.
2. Close the file in FEC v. Caucus Distributors, Inc., 812 F.2d 1400 (4th Cir. 1987), on remand, No. 86-1149 (E.D.Va. petition for contempt granted July 18, 1986).

(continued)

3. Approve the appropriate letters, as recommended in the General Counsel's Report dated December 1, 1994.

Commissioners Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner Aikens did not cast a vote.

Attest:

12-8-94
Date

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

Received in the Secretariat: Thurs., Dec. 1, 1994 3:31 p.m.
Circulated to the Commission: Fri., Dec. 2, 1994 12:00 p.m.
Deadline for vote: Wed., Dec. 7, 1994 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 20, 1994

Odin P. Anderson, Esquire
Anderson, Rossi & Davis, P.C.
4 Longfellow Place, Suite 3705
Boston, MA 02114

RE: MUR 1852

The LaRouche Campaign and Edward Spannaus,
as treasurer; Independent Democrats for
LaRouche and Gerald Rose, as treasurer;
Publication and General Management, Inc.; Fusion
Energy Foundation, Inc.; Campaigner Publications,
Inc.; Caucus Distributors, Inc.

and

RE: MUR 2594

The LaRouche Democratic Campaign and Edward
Spannaus, as treasurer.

Dear Mr. Anderson:

This is to advise you that on May 19, 1992, the Federal Election Commission ("the Commission") made the following findings: Found probable cause to believe that The LaRouche Campaign ("TLC") and Edward Spannaus, as treasurer, knowingly and willfully violated 2 U.S.C. §§ 432(h), 434(b), 441a(f), 441b, 438(a)(4), 26 U.S.C. § 9042(c) and 11 C.F.R. § 110.6(d)(2); found probable cause to believe that Independent Democrats for LaRouche ("IDL") and Gerald Rose, as treasurer, knowingly and willfully violated 2 U.S.C. §§ 434(b), 441b, 441a(f), and 438(a)(4); found probable cause to believe that Caucus Distributors, Inc. ("CDI") knowingly and willfully violated 2 U.S.C. §§ 433, 434, 432(h) and 438(a)(4); found probable cause to believe that Fusion Energy Foundation, Inc. ("Fusion") knowingly and willfully violated 2 U.S.C. §§ 441b and 438(a)(4); found probable cause to believe that Campaigner Publications, Inc. ("Campaigner") knowingly and willfully violated 2 U.S.C. §§ 441b and 438(a)(4); and found probable cause to believe that Publication and General Management, Inc. ("PGM") knowingly and willfully violated 2 U.S.C. §§ 441b and 438(a)(4).

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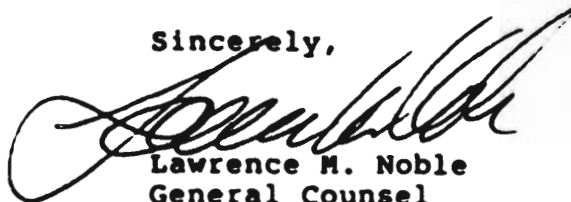
Odin P. Anderson, Esquire
Page 2

In addition, on December 19, 1991, the Commission found probable cause to believe that The LaRouche Democratic Campaign ("LDC") and Edward Spannaus, as treasurer, violated 26 U.S.C. § 9042(c) and knowingly and willfully violated 2 U.S.C. §§ 434(b)(2) and (3). After considering the circumstances of these matters, however, on December 7, 1994, the Commission determined to take no further action against the remaining respondents in MURs 1852 and 2594, and closed its files in those two matters.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and these matters are now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE END OF MUR # 2594

DATE FILMED 1-25-95 CAMERA NO. 2

CAMERAMAN JMH

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