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COMMISSION
REPORT ANALYSIS DIVISION

January 9, 2020

By Overnight Mail

Federal Election Commission
1050 First Street, NE
Washington, DC 20463

Attention: Audit Division

Re: Request for Administrative Termination

Dear Sir or Madam:

This firm represents the National Democratic Policy Committee (NDPC), (C00136531), a dormant multi-candidate political committee (the Committee). Its treasurer is Katherine Jenkins. By this letter and attachments hereto, the Committee hereby requests that the Federal Election Commission (the Commission) administratively terminate the Committee pursuant to 11 C.F.R. 102.4. In support of its request, the Committee hereby provides the following information:

The Committee filed its initial statement of organization in 1980. It was a federal multi-candidate PAC which fielded and recruited hundreds of citizen candidates to run for public office nationwide. Two Committee candidates, to the surprise of the entire nation, won the Democratic Party's nomination for Lieutenant Governor and Secretary of State in Illinois in March of 1986. Other Committee endorsed candidates made significant showings in state and federal races. The Committee operated actively until early 1987 when its activities slowly decreased. After 1991 the Committee received limited contributions while making limited disbursements to cover bank fees and pay off debt.

There are no outstanding audit or compliance actions. As is clear from its current reports, the Committee has only been required to file with the Commission to report debts. Ms. Jenkins assumed the post of treasurer on September 3, 1988 as the Committee's activities had already begun winding down and after almost all the debts at issue herein had been incurred. The Committee's founder, Lyndon H. LaRouche, Jr. died on February 12, 2019.

As of the July 2019 Mid-Year report the Committee had \$3,518.72 in cash on hand and debt of \$449,726.38. The debt falls into four broad categories: (1) debt to defunct entities totaling \$374,581.15 (Exhibit A); (2) debt to lenders or unreimbursed expenses of volunteers totaling \$46,767.76 (Exhibit B); (3) a debt to a related non-profit entity, Southeast Literature Sales totaling \$3,345.00 and (4) \$26,419.00 in debt to various vendors. Each of these categories of debt will be discussed in turn.

With respect to defunct vendors, we attach a summary indicating that these entities are no longer in existence, with the specific debts at Exhibit A. Documentation

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showing that these vendors are defunct also is discussed in the Declaration of Barbara M. Boyd attached at Exhibit C.

Exhibit B lists loans made to the Committee – mostly in 1984 with one loan made in 1985 and two made in 1986. All of the loans were made by supporters of the Committee at 0% interest. The Committee was a target of a widely publicized federal investigation of various entities associated with Mr. LaRouche, which began in Boston, Massachusetts in 1984. The Committee was never indicted in that, or any other investigation. It was however, involved in extensive litigation involving \$2.7 million in contempt fines levied against it by the District Judge presiding over the Boston Grand Jury. The litigation dragged on from 1986 forward, with the government ultimately abandoning its effort to collect the fines in the early 1990's, after Committee activities had already decreased substantially.

Since the time she assumed the Treasurers' post in 1988, Ms. Jenkins is aware of no claims or demands for repayment by these lenders. A study conducted by Barbara Boyd using various skip trace data bases reveals that of 42 of lenders listed, 21 are deceased, 11 could not be located and 10 appear to have been located, although not at the addresses listed on the Committee's report. See Jenkins Declaration, Exhibit D, Boyd Declaration, Exhibit C.

The Committee lists \$5,367.76 in unreimbursed expenses of volunteers. None of these individuals have demanded reimbursement in the intervening years. Declaration of Katherine Jenkins, Exhibit D.

Southeast Literature Sales ("SELS") is a Maryland non-profit which distributed Committee literature. All of the officers and employees of SELS were members of the LaRouche political movement; the debt represents bills for use of the SELS' office space and telephone for Committee activities.

Finally, there remains \$26,419 in debts to various vendors, of which \$12,327 of this amount represents billings from various lawyers and law firms for legal services. Another \$4,347.00 are bills for computer services and bank charges. The remaining \$8,359.00 is composed of numerous small charges for room rentals, express mail services, printing, mailing and similar services. Ms. Jenkins has no records of any demands made by any of these vendors for payment in the years since these debts were incurred. Declaration of Katherine Jenkins, Exhibit D. The small amounts at issue and some of the notations in the reporting of these debts may indicate that these debts were paid by the various candidates who incurred the costs. Boyd Declaration, Exhibit C.

Legal Standard

The factors to be considered for administrative termination are set forth at 11 C.F.R. 102.4, and in Audit Division guidelines. Those requirements include:

1. The committee's aggregate reported financial activity in one year is less than \$5000;
2. The committee's reports disclose no receipt of contributions for the previous year;
3. The committee's last report disclosed minimal expenditures;
4. The committee's primary purpose for filing its reports has been to disclose outstanding debts and obligations;
5. The committee has failed to file reports for the previous year;
6. The committee's last report disclosed that the committee's outstanding debts and obligations do not appear to present a possible violation of the prohibitions and limitations of 11 CFR parts 110 and 114;
7. The committee's last report disclosed that the Committee does not have substantial outstanding accounts receivable; and
8. The committee's outstanding debts and obligations exceed the total of the committee's reported cash on hand balance.

As described above, under this request the Committee has met all of the factors set forth except (5), a failure to file reports for the previous year.

As stated in Audit Division guidelines, administrative termination does not extinguish debts owed, it simply ends the reporting requirement for the committees and the burden for the FEC of reviewing unchanging reports. The Committee hereby respectfully requests that the Commission administratively terminate its reporting requirement. If the Commission requires any further information, please contact the undersigned at your earliest opportunity.

We look forward to the Commission's thoughtful consideration toward a fair and proper resolution of this matter.

Very truly yours,

Christopher T. Craig

enclosure

Insert shipping document here

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TO FEDERAL ELECTION COMMISSION
FEDERAL ELECTION COMMISSION
1050 FIRST STREET, NE

WASHINGTON DC 20463

(800) 424-9530

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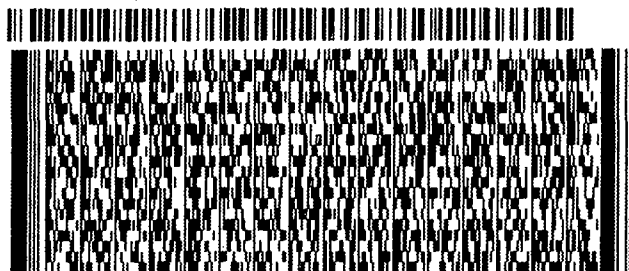
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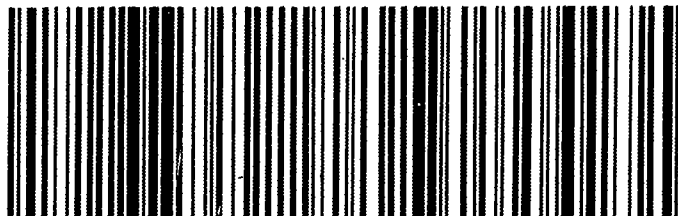
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