



Federal Election Commission
Washington, DC 20463

2007 SEP 13 A 9 56
SENSITIVE

MEMORANDUM

September 12, 2007

TO: The Commission
THROUGH: Patrina M. Clark *pmc*
Staff Director
FROM: John D. Gibson *JDG*
Chief Compliance Officer
Deborah Ruth Kant *DRK*
Director, ADR Office
BY: Lynn M. Fraser *LMF*
Assistant Director, ADR Office
SUBJECT: ADR 412 Larry Kissell for Congress and Walter Ingram Butch Jenkins III,
Treasurer, Recommendation to Assign¹

ADR Case: ADR 412

Source No. RAD 07L-29

Respondents:
Larry Kissell for Congress
Walter Ingram Butch Jenkins III, Treasurer

Respondents' Rep.:
Walter Ingram Butch Jenkins III

Complainant: RAD

Committee Name: Larry Kissell for Congress

Date Referral Filed: 8/28/07

Committee Type: Authorized

Date Forwarded to ADRO: 8/28/07

District #/or State: NC 8th C.D.

Election Cycle: 2006

Election - Won/Lost: Lost - General

¹ The Office of General Counsel reviewed the ADR Memorandum, and concurs in the description of the case

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Issues:

- Reporting receipts 2 U.S.C. §§ 434(a)(1), 434(b)(2), 11 C.F.R. §§ 104.1, 104.3(a)
- Reporting disbursements 2 U.S.C. §§ 434(a)(1), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(b)

Summary and Analysis of Case: Treasurers of political committees are required to report all financial activity, including all receipts and all disbursements, pursuant to the FECA. RAD referred Larry Kissell for Congress and Walter Ingram Butch Jenkins III, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on their 2006 30 Day Post-General Report. Respondents filed their original 2006 30 Day Post-General Report on December 7, 2006. Respondents then filed an amended 2006 30 Day Post-General Report on January 31, 2007 that disclosed additional receipts of \$85,663.70, and additional disbursements of \$85,534.53.

In response to a RFAI sent to the Committee, Respondents stated that the discrepancies were due to a clerical error. In a subsequent communication with RAD, Respondents stated that the discrepancies were due to someone who raised money for the Committee, but had not informed the Committee until after the required report was filed.

RECOMMENDATION:

1. **Assign ADR 412/RAD 07L-29 to the ADR Office.**

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