



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 SEP 28 P 5:08

SENSITIVE

MEMORANDUM

September 28, 2007

TO: The Commission

THROUGH: Patrina M. Clark *JMC
pm*
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 414 Larry Kissell for Congress and Walter Ingram Butch Jenkins, Treasurer,
Recommendation to Dismiss¹

ADR Case: ADR 414

Source No. MUR 5929

Respondents:

Larry Kissell for Congress
Walter Ingram Butch Jenkins, Treasurer

Respondents' Rep.:

Caroline P. Goodson, Esq.

Complainant: NRCC

Committee Name: Larry Kissell for Congress

Date Complaint Filed: 7/30/07

Committee Type: Authorized

Date Forwarded to ADRO: 9/14/07

District #/or State: NC 8th CD

[Redacted]

Election – Won/Lost: Lost-General

[Redacted]

Election Cycle: 2006

¹ The Office of General Counsel concurs in the description of this matter, and that it not be returned to OGC for further action.

Summary and Analysis of Case: The FECA requires treasurers of political committees to report all financial activity, including all receipts, disbursements and debt. The complaint alleges that disclosure reports filed by Kissell for Congress and Walter Ingram Butch Jenkins III, Treasurer (Respondents or the Committee) contained discrepancies, omissions and/or errors. The complaint notes, as one example, that a media source reports a fundraiser to retire \$35,000 in Respondents' credit card debt. The discrepancy noted in the complaint was the fact that the credit card debt does not appear on reports, although there was a \$35,000 loan described by Respondents as being personal funds from the candidate. In addition, the Complainant alleged that amounts relative to loans and outstanding debt kept appearing and/or disappearing without supporting data, and that the candidate may have made in-kind contributions to the Committee without reporting the contributions.

Respondents contend that some inadvertent errors were made by inexperienced campaign staff, but that the Committee filed amended reports to correct the record. In addition, Respondents note that they hired an experienced compliance specialist to assist the Committee in reviewing and reconciling financial records and reports.

RECOMMENDATION:

1. **Dismiss ADR 414 (MUR 5929), and close the file.**
2. **Approve the appropriate letters.**