



Federal Election Commission  
Washington, DC 20463

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

October 10, 2007

Elizabeth Beachem  
National Republican Congressional Committee  
320 1<sup>st</sup> Street, SE  
Washington, DC 20003

Re: ADR 414 (MUR 5929)

Dear Ms. Beachem:

On July 30, 2007, the Federal Election Commission (FEC/Commission) received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no action against the Respondents, Larry Kissell for Congress and Walter Ingram Butch Jenkins, Treasurer. In its memorandum to the Commission, dated September 28, 2007, this office stated:

**Summary:** 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.

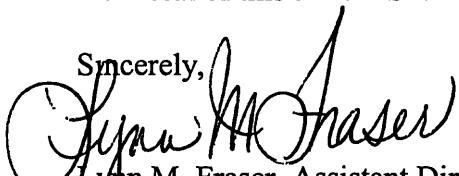
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Accordingly, the Commission closed its file in this matter on October 5, 2007.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,



Lynn M. Fraser, Assistant Director  
Alternative Dispute Resolution Office