

Jim Banks for Congress, Inc.

September 24, 2021

Christal Dennis

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

Reference: MUR 7925

Dear Ms. Dennis:

The Committee has received notification of the Matter Under Review 7925 and wishes to demonstrate that no further legal actions should be taken by the commission, as this is a simple matter of a misspelling, a duplicate record discovered, and a donor over limits as a result. In addition, the matter has already been corrected and the donor refunded his excess.

The donor in question, Mr. Thomas Kelley, made a donation from his verified Sole Proprietorship, Kelley Automotive, LLC, to the Joint Fundraising Committee Banks Victory Fund, on 3/31/2021, in the amount of \$10,000. That contribution was distributed per the legally established waterfall as \$2900 to Primary 2022 and \$2900 to General 2022, the balance going to House Conservatives Fund. However, upon distribution, a clerical error entered the donor's name as Tom Kelly, rather than Thomas Kelley. There were not four allocations as the complaint indicates, however due to the way Line 12 memos are reported, the Committee showed the transfer memo from Kelley Automotive, as well as a memo for Tom Kelly, with a reporting note that Kelley Automotive, LLC is Verified Non Corporate, and that Tom Kelly is a memo contribution of Kelley Automotive, LLC.

Further, Mr. Thomas Kelley made a direct contribution to Jim Banks for Congress, Inc. on 6/25/2021 in the amount of \$2500, which was designated by the Committee to Primary 2022. Due to a software limitation, the record did not trigger a potential duplicate due to the differences in spelling.

The spelling has been corrected and our records merged, properly show Tom Kelly as Thomas Kelley. Mr. Kelley has also been refunded his overage of \$2500, and thus remains within contribution limits for the 2022 cycle. The refund was made on 9/24/2021, within 15 days of discovery of the duplicate record and overage.

Given that the committee has merged the duplicate record, corrected the misspelling, and refunded Mr. Kelley's overage, no further action should be taken by the Commission in this matter.

Please feel welcome to contact us, should you have any questions whatsoever.

Sincerely,

Steven Martin

Treasurer

Jim Banks for Congress, Inc.