

June 21, 2017

Honorable Jeff Sessions
Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

Dear Attorney General Sessions:

The Campaign Legal Center and Democracy 21 request that the Department of Justice exercise its authority to investigate whether Brian Kelsey; Kelsey's federal campaign committee Kelsey for Congress, Kelsey's state campaign committee; American Conservative Union (ACU), Citizens 4 Ethics in Government; Standard Club PAC; Kelsey's state political committee Red State PAC; and certain Tennessee state legislators have engaged in knowing and willful violations of the federal campaign finance laws.

Brian Kelsey, an attorney and Tennessee state senator, ran for Congress in the Republican primary for Tennessee's 8th Congressional District in 2016. Kelsey for Congress (ID: C00607937) was his federal campaign committee. Published reports and reports filed with the Federal Election Commission (FEC) and Tennessee state authorities indicate that Kelsey and his agents developed complicated schemes to knowingly and willfully violate the Federal Election Campaign Act (FECA) by illegally funneling soft money funds from his state campaign accounts into his federal campaign and Kelsey for Congress, thereby violating FECA's straw donor prohibitions, soft money prohibitions, contribution limits and prohibitions, and reporting requirements.

Kelsey's state campaign committee transferred \$106,341 to Standard Club PAC, which days later transferred \$30,000 to ACU, which then made \$30,000 in independent expenditures supporting Kelsey's federal campaign; Standard Club PAC additionally transferred \$37,000 to Citizens 4 Ethics in Government, which quickly transferred \$36,000 to ACU, which spent the funds on more independent expenditures in support of Kelsey. Additionally, published reports indicate that Kelsey used funds from his state campaign committee and state political committee to reimburse state legislators who contributed to Kelsey for Congress, providing further evidence that Kelsey treated his state campaign accounts as slush funds to illegally support his federal candidacy.

On June 21, CLC and Democracy 21 filed a complaint with the FEC alleging that Kelsey and the other organizations had violated FECA through these elaborate schemes.

I. The Department of Justice has authority to enforce the campaign finance laws and should do so here.

Although the FEC has exclusive jurisdiction over civil enforcement of the campaign finance laws, 52 U.S.C. § 30109(a), the Department of Justice has its own separate responsibility to enforce the campaign finance laws against “knowing and willful” violations. 52 U.S.C. § 30109(d); *see generally* FEDERAL PROSECUTION OF ELECTION OFFENSES (7th ed. May 2007) (DOJ HANDBOOK).

The DOJ HANDBOOK takes particular note of the fact that Congress increased criminal penalties for campaign finance violations as part of the Bipartisan Campaign Reform Act of 2002 (BCRA). As the Handbook states, at pp. 198-99:

BCRA significantly enhanced the criminal penalties for knowing and willful violations of the Federal Election Campaign Act. BCRA did so in response to identified anti-social consequences, namely, corruption and the appearance of corruption arising from FECA violations, and their adverse effect on the proper functioning of American democracy....

In view of the enhanced criminal penalties for FECA crimes and the legislative history supporting their enactment, it is the Justice Department’s position that all knowing and willful FECA violations that exceed the applicable jurisdictional floor specified in the Act’s criminal provision should be considered for federal prosecution....

Three considerations support an investigation by the Department into the activities at issue here:

First, these activities implicate several “of the principal prohibitions of FECA,” namely the prohibitions against “excessive contributions” (52 U.S.C. § 30116), “disguised contributions through conduits” (*id.* § 30122), and the “solicitation or receipt of ‘soft money’” (*id.* § 30125). DOJ HANDBOOK at 13-14.

Second, the total monetary amount of the violations greatly exceed \$2,000; at least \$67,000 in soft money from Kelsey’s state account was passed as disguised contributions through conduits, ultimately resulting in excessive contributions to Kelsey’s federal committee. *Id.* at 14. Additionally, Kelsey’s alleged reimbursement scheme may have resulted in thousands more in disguised soft money contributions to Kelsey’s federal committee. *Id.*

Third, the violations by Kelsey and other respondents were knowing and willful. The DOJ HANDBOOK notes that a person’s status as a lawyer is indicative of the requisite knowledge of the substantive FECA requirements, *id.* at 14-15, and Kelsey is an attorney and Chair of the Tennessee state judiciary committee. Notwithstanding this active awareness of the law, Kelsey willfully violated FECA, and appears to have done so by creating an elaborate plan in collaboration with the other respondents to disguise the violations: in order to hide the illegal transfer of soft money funds from Kelsey’s state account into his federal election, he created

illegal straw donor schemes to funnel money through conduits into expenditures and to reimburse contributors to his campaign. *Id.* at 14-15, 179-80. Further, the fact that *three* distinct committees under Kelsey’s control all engaged in the scheme is further evidence that the violations were knowing and willful.

Finally, the FEC is widely recognized today as a dysfunctional enforcement agency that is repeatedly left paralyzed, with the Commission routinely failing to reach the four-vote threshold necessary to open an investigation into campaign finance violations. As Robert Kelner, a campaign finance attorney, told the *Washington Post* last year, “we are in an environment where there has been virtually no enforcement of the campaign finance laws.¹ According to a 2015 report in *The New York Times*, even the recent chair of the agency agrees with this assessment:

The leader of the Federal Election Commission, the agency charged with regulating the way political money is raised and spent, says she has largely given up hope of reining in abuses in the 2016 presidential campaign, which could generate a record \$10 billion in spending.

“The likelihood of the laws being enforced is slim,” Ann M. Ravel, the chairwoman, said in an interview. “I never want to give up, but I’m not under any illusions. People think the F.E.C. is dysfunctional. It’s worse than dysfunctional.”²

In 2006, only 4.2 percent of votes on enforcement cases—known as “Matters Under Review”—closed with one deadlocked vote, but that number was a shocking 37.5 percent in 2016.³ This means that the Commission gives up the investigation with no result, and sends a letter that it is “unable to resolve the matter.”

According to another published report, former chairwoman Ravel said that the Commission’s “recent history” on issues relating to coordination “portends slim hope that we will be able to reach four votes to penalize any major transgressions.”⁴ Ravel has also

¹ Matea Gold, *Trump’s Deal with the RNC Shows How Big Money Is Flowing Back to the Parties*, WASH. POST (May 18, 2016), https://www.washingtonpost.com/politics/trumps-deal-with-the-rnc-shows-how-big-money-is-flowing-back-to-the-parties/2016/05/18/4d84e14a-1d11-11e6-b6e0-c53b7ef63b45_story.html?utm_term=.dc6c8611666e.

² Eric Lichtblau, *F.E.C. Can’t Curb 2016 Election Abuse, Commission Chief Says*, N.Y. TIMES (May 2, 2015), <https://www.nytimes.com/2015/05/03/us/politics/fec-cant-curb-2016-election-abuse-commission-chief-says.html>.

³ Office of Commissioner Ann Ravel, Federal Election Commission, *Deadlock and Dysfunction: the Enforcement Crisis at the Federal Election Commission Reveals the Unlikelihood of Draining the Swamp*, at 1 (February 2017) http://www.fec.gov/members/ravel/ravelreport_feb2017.pdf. See also Public Citizen, *Roiled in Partisan Deadlock, Federal Election Commission Is Failing*, at 1 (July 19, 2016), <http://www.citizen.org/documents/FEC%20deadlock%20updated%20July%202016.pdf>.

⁴ Fredreka Schouten, *Bush money machine in high gear even without official campaign*, USA TODAY (May 13, 2015), <https://www.usatoday.com/story/news/politics/elections/2016/2015/05/13/jeb-bush-campaign-money-machine/27241557/>.

commented that “what we are left with is an agency mandated to ensure transparency and disclosure that is actually working to keep the public in the dark.”⁵

Ravel has since stepped down from the agency, leaving the six-member Commission with only five members, making it even less likely that the agency will reach the four votes necessary to begin an investigation.

In light of the effective collapse of the civil enforcement system as a result of the paralysis of the FEC, it is essential for the Department to exercise its concurrent jurisdiction to enforce the criminal provisions of the campaign finance laws. *E.g.*, HANDBOOK at 177 (“Criminal prosecution under FECA can be pursued before civil and administrative remedies are exhausted.”)

II. There are strong grounds to believe that Brian Kelsey has knowingly and willfully violated the campaign finance laws.

There are strong grounds to believe that Brian Kelsey; his federal campaign committee, Kelsey for Congress; Kelsey’s state campaign committee, Brian K. Kelsey for Tennessee State Senate; American Conservative Union (ACU); Citizens 4 Ethics in Government; Standard Club PAC; Kelsey’s state political committee, Red State PAC; and straw donors including Glen Casada, Steve Dickerson, Ron Gant, Dolores Gresham, Martin Daniel, Steve Glover, and John and Jane Doe (collectively “Straw Donors”) have engaged in knowing and willful violations of the federal campaign finance laws.

A. Statement of Facts

Brian Kelsey is a Tennessee state senator and an attorney who, among other responsibilities, is Chairman of the Judiciary Committee for the Tennessee State Senate.⁶ Kelsey ran for Congress in the Republican primary for Tennessee’s 8th Congressional District in 2016. Kelsey filed a Statement of Candidacy with the Commission on February 2, 2016,⁷ and designated Kelsey for Congress (ID: C00607937) as his federal campaign committee.

⁵ Ann Ravel, Editorial, *Dysfunction and Deadlock at the Federal Election Commission*, N.Y. TIMES (Feb. 20, 2017), <https://www.nytimes.com/2017/02/20/opinion/dysfunction-and-deadlock-at-the-federal-election-commission.html>.

⁶ *See Tenn. Gen. Assembly*, “Senator Brian Kelsey,” <http://www.capitol.tn.gov/senate/members/s31.html> (accessed June 9, 2017).

⁷ Brian Kelsey, FEC Form 2 Statement of Candidacy (Feb. 2, 2016), <http://docquery.fec.gov/pdf/889/201602029008435889/201602029008435889.pdf>; *see also* Dave Boucher, *Rep. Fincher Won’t Seek Reelection; Kelsey to Run*, The Tennessean (Feb. 1, 2016), <http://www.tennessean.com/story/news/politics/2016/02/01/us-rep-fincher-wont-seek-re-election/79650574/>.

Kelsey for Congress' treasurer is William H. Watkins III.⁸ Watkins is also the treasurer for Kelsey's state campaign committee,⁹ and for Kelsey's state political committee, Red State PAC.¹⁰

The American Conservative Union (ACU) is a nonprofit corporation exempt from taxation under section 501(c)(4) of the Internal Revenue Code. ACU reports independent expenditures to the Commission under ID: C90013236. On June 2, 2016, ACU endorsed Kelsey for Congress.¹¹

On July 11, 2016, Kelsey's state campaign committee transferred \$106,341 to a Tennessee state political committee called Standard Club PAC, according to reports filed with Tennessee state authorities.¹² Before this transfer, Standard Club PAC had only \$27,792 on hand in its campaign account.¹³

Four days later, on July 15, Standard Club PAC transferred \$30,000 to ACU at the address 1331 H St. NW in Washington D.C., according to Standard Club PAC's reports filed with Tennessee state authorities.¹⁴

On July 13, Standard Club PAC contributed \$60,000 to the federal political committee Citizens 4 Ethics in Government (ID: C00524082) at the address 30 Burton Hills Blvd. in Nashville, Tennessee; the federal committee refunded that contribution on the same day, according to Standard Club PAC's reports filed with Tennessee state authorities.¹⁵

On July 15, Standard Club PAC contributed \$30,000 to Citizens 4 Ethics in Government, and contributed another \$7,000 on July 20, for a total of \$37,000.¹⁶

The \$106,341 that Standard Club PAC received from Kelsey's state committee constituted more than 90% of Standard Club PAC's income for 2016.¹⁷ Standard Club PAC's

⁸ Kelsey for Congress, FEC Form 3 Statement of Organization (Mar. 9, 2016), <http://docquery.fec.gov/pdf/957/201603099009708957/201603099009708957.pdf>.

⁹ See Exhibit A (Tenn. Online Campaign Finance, "Brian K. Kelsey," accessed June 19, 2017).

¹⁰ See Exhibit B (Tenn. Online Campaign Finance, "Red State PAC," accessed June 19, 2017).

¹¹ Press release, *ACU Endorses Brian Kelsey*, American Conservative Union (June 2, 2016), <http://acustaging.com/acu-endorses-brian-kelsey/>

¹² See Exhibit C at 8 (Brian K. Kelsey, Early Year-End Supplemental 2016, Tenn. Online Campaign Finance (Jan. 30, 2017), also available at https://apps.tn.gov/tncamp-app/search/pub/report_full.htm?reportId=70530).

¹³ See Exhibit D at 7-9 (Standard Club PAC, Amended Pre-Primary 2016, Tenn. Online Campaign Finance (Jan. 30, 2017), also available at https://apps.tn.gov/tncamp-app/search/pub/report_full.htm?reportId=70277).

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ See Exhibit D (Standard Club PAC's 2016 reports filed with Tennessee state election authorities). Besides Kelsey's \$106,341 contribution, Standard Club PAC received only three other contributions in 2016: \$5,000 on Feb. 18, \$4,600 on Apr. 1, and \$2,000 on Apr. 5. *Id.*

\$67,000 in contributions to Citizens 4 Ethics in Government and ACU constituted 75% of Standard Club PAC's total spending for 2016.¹⁸

Citizens 4 Ethics in Government reported receiving the \$30,000 and \$7,000 contributions from Standard Club PAC on its reports filed with the Commission; however, it did not report receiving and refunding the \$60,000 that Standard Club PAC reported to state authorities.¹⁹ The \$37,000 in reported contributions from Standard Club PAC constituted the entirety of the contributions Citizens 4 Ethics in Government received over the reporting period, and almost the entirety of contributions it received during the entire 2015-2016 election cycle.²⁰

The treasurer of the Standard Club PAC is Troy Brewer. The email address listed on Citizens 4 Ethics in Government's FEC Form 1 begins with "tbrewer,"²¹ and that organization's only reported disbursement for accounting services in the 2015-2016 cycle was to "Troy Brewer CPA Inc."²²

On July 21, 2016—less than a week after receiving \$37,000 in Standard Club PAC contributions—Citizens 4 Ethics in Government transferred \$36,000 to ACU, at the address 1331 H. ST. NW, Suite 500 in Washington D.C.²³ This constituted almost the entirety of Citizens 4 Ethics in Government's disbursements for the 2015-2016 cycle.²⁴

On July 20, 2016, ACU reported a \$30,000 independent expenditure for a "radio media buy," followed by another \$19,480 independent expenditure for radio on July 22, and a \$30,520 independent expenditure for "radio/digital media" on July 26 — all in support of Kelsey's federal campaign.²⁵ Thus, between July 20 and 26, ACU spent \$80,000 on independent expenditures in support of Kelsey.²⁶

¹⁸ Standard Club PAC reported only \$22,047 in disbursements in 2016, besides the \$67,000 in disbursements to ACU and Citizens 4 Ethics in Washington. *Id.*

¹⁹ Citizens 4 Ethics in Government, October Quarterly (reporting period 07/01/2016 to 09/31/2016) at 6, <http://docquery.fec.gov/pdf/125/201610139032411125/201610139032411125.pdf>.

²⁰ *Id.* at 2. Prior to the Standard Club PAC contributions, Citizens 4 Ethics in Government had only \$6,141 cash on hand, and the only other itemized contribution it received during 2016 was from a corporation that shares its address and has an almost identical name. *See id.*

²¹ Citizens 4 Ethics in Government, FEC Form 1 Statement of Organization (July 31, 2014), <http://docquery.fec.gov/pdf/486/14962169486/14962169486.pdf>.

²² Citizens 4 Ethics in Government, Post-General Report (reporting period 10/01/2016 to 09/31/2016) at 6, <http://docquery.fec.gov/pdf/738/201612089039927738/201612089039927738.pdf>.

²³ *Id.* at 7. The report lists the state as "CA" but this appears to be a reporting error because the zip code, 20005, is in the District of Columbia.

²⁴ Citizens 4 Ethics in Government only reported \$5,330 in other disbursements in 2016, for consulting and compliance costs. Citizens 4 Ethics in Government, Post-General Report (reporting period 10/01/2016 to 09/31/2016) at 2, 6, <http://docquery.fec.gov/pdf/738/201612089039927738/201612089039927738.pdf>.

²⁵ American Conservative Union, FEC Form 5 Report of Independent Expenditures Made and Contributions Received, October Quarterly (reporting period 07/01 to 09/31) at 2, <http://docquery.fec.gov/pdf/046/201610139032405046/201610139032405046.pdf>.

²⁶ *Id.* This constituted the entirety of American Conservative Union's independent expenditures in 2016, save for one \$5,100 expenditure in support of a House candidate in New York on June 21, 2016.

In summary, on July 11, Brian Kelsey's state campaign committee transferred \$106,341 to Standard Club PAC, and then:

- On July 15, the Standard Club PAC transferred \$30,000 to ACU;
- On July 20, ACU reported making a \$30,000 independent expenditure in support of Kelsey.

Additionally:

- On July 15 and 20, the Standard Club PAC transferred a total of \$37,000 to Citizens 4 Ethics in Government;
- On July 21, Citizens 4 Ethics in Government transferred \$36,000 to ACU;
- On July 22, ACU reported making a \$19,480 independent expenditure in support of Kelsey, and on July 26, reported a \$30,520 independent expenditure in support of Kelsey.

On its reports filed with the Commission, ACU did not report the identities of any contributors who gave for the purpose of furthering those independent expenditures. On April 5, 2017, the Commission's Reports Analysis Division sent a request for additional information to ACU, directing ACU to identify any contributors who had given to further these independent expenditures by May 10, 2017.²⁷ As of June 18, 2017, ACU has not responded to the request.

Citizens 4 Ethics in Government was founded by Andy Miller, a major donor who also provided almost the entirety of Standard Club PAC's contributions for the first year of its existence.²⁸ Additionally, Thomas A. "Thomsen" Smith was a fundraiser for Kelsey for Congress and, according to published reports, has helped raise funds for Standard Club PAC.²⁹

On June 5, 2017, *The Tennessean* reported on "questionable money transfers in which Kelsey gave thousands of dollars from his state campaign fund to legislative colleagues. About

See American Conservative Union, FEC Form 5 Report of Independent Expenditures Made and Contributions Received, July Quarterly (reporting period 04/01 to 06/30) at 2, <http://docquery.fec.gov/pdf/464/201607309021962464/201607309021962464.pdf>.

²⁷ RFAI from Jill Sugarman, Sr. Campaign Finance & Reviewing Analyst, Reports Analysis Division, to ACU (Apr. 5, 2017), <http://docquery.fec.gov/pdf/749/201704060300083749/201704060300083749.pdf>.

²⁸ See Dave Boucher and Joel Ebert, *Nashville's Private Club with a PAC*, THE TENNESSEAN (Apr. 2, 2017), <http://www.tennessean.com/story/news/politics/2017/04/02/campaign-finance-investigation-the-standard-club-nashville/99734196/>; see also Tom Humphrey, *Political Notebook: One PAC Resolves Violation, Another to Be Investigated*, KNOXVILLE NEWS SENTINEL (Aug. 14, 2012), <http://archive.knoxnews.com/news/political-notebook-one-pac-resolves-violation-another-to-be-investigated-ep-360253057-356763061.html> (noting that \$10,000 of the \$10,100 raised by Standard Club PAC had come from Miller).

²⁹ Dave Boucher and Joel Ebert, *Expert: Money Trail Shows Possible Misconduct by State Sen. Brian Kelsey*, THE TENNESSEAN (Jun. 2, 2017), <http://www.tennessean.com/story/news/2017/06/02/expert-money-trail-shows-possible-misconduct-state-sen-brian-kelsey/362453001/>.

the same time, several of those state lawmakers made contributions to Kelsey’s congressional campaign.”³⁰

On March 22, 2016, House Majority Leader Glen Casada’s personal campaign account donated \$1,000 to Kelsey’s congressional campaign account. On the same exact day, Casada’s PAC gave another \$1,000 to Kelsey’s congressional campaign account, Casada’s records indicate. Kelsey’s federal disclosures only show one contribution from Casada. Thirty-eight days later, Kelsey’s state political action committee — Red State PAC —gave Casada’s state PAC \$2,500, according to state disclosures.³¹

The Tennessean also reported that:

- On April 29, Kelsey’s state PAC gave \$1,000 to the campaign of Sen. Todd Gardenhire, R-Chattanooga. On May 3, Gardenhire personally gave \$1,000 to Kelsey for Congress.
- On December 28, 2015, Kelsey’s state PAC gave \$1,000 to Sen. Steve Dickerson, R-Nashville. On February 10, Dickerson personally gave \$1,000 to Kelsey for Congress. On April 27, Kelsey’s state campaign committee gave \$3,000 to Dickerson's campaign. On June 23, Dickerson personally gave \$500 to Kelsey’s federal campaign committee.
- On April 22, 2016, Kelsey’s state PAC records show a \$1,000 contribution to Rep. Ron Gant, R-Rossville. On June 23, Gant personally gave \$1,000 to Kelsey for Congress.
- On December 29, 2015, Kelsey’s state campaign committee gave \$175 to Sen. Dolores Gresham, R-Somerville. On March 18, Gresham personally gave \$1,000 to Kelsey for Congress. On April 29, Kelsey’s state PAC report states it gave Gresham's campaign \$2,500.
- On March 27, Rep. Martin Daniel, R-Knoxville personally gave \$500 to Kelsey for Congress. On April 27, Kelsey’s state PAC gave Daniel's campaign committee \$1,000.
- On April 29, Kelsey’s state PAC gave \$500 to the campaign of Steve Glover. On July 19, Glover personally gave \$250 to Kelsey’s federal PAC.³²

B. Violations of Law

³⁰ Dave Boucher and Joel Ebert, *More Sen. Brian Kelsey Campaign Transactions Hint at Possible Straw Donor Issues*, THE TENNESSEAN (Jun. 5, 2017), <http://www.tennessean.com/story/news/politics/2017/06/05/more-sen-brian-kelsey-campaign-transactions-hint-possible-straw-donor-issues/365529001/>.

³¹ *Id.*

³² *Id.*

I. ACU KNOWINGLY AND WILLFULLY MADE \$80,000 IN PROHIBITED AND EXCESSIVE CONTRIBUTIONS TO KELSEY FOR CONGRESS IN THE FORM OF COORDINATED COMMUNICATIONS

There is strong evidence that ACU has made \$80,000 in in-kind contributions to Kelsey for Congress in the form of coordinated communications, 11 CFR § 109.21, thereby knowingly and willfully violating FECA's prohibition on corporate contributions to a candidate committee, 52 U.S.C. § 30118(a) and (b)(2), and FECA's \$2,700 individual contribution limit, *id.* § 30116(a)(1).

Federal law limits to \$2,700 per election the amount of a contribution that a Congressional candidate or his authorized campaign committee may accept from an individual donor. 52 U.S.C § 30116(a)(1). FECA also prohibits a corporation or labor union from making a contribution to a federal candidate. 52 U.S.C. § 30118(a).

FECA makes clear that any expenditure made in coordination with a candidate is a contribution to such candidate. FECA states: “[E]xpenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents *shall be considered to be a contribution to such candidate.*” 52 U.S.C. § 30116(a)(7)(B)(i) (emphasis added). This statutory coordination provision is implemented by the nearly identical regulation defining “coordination” to mean “in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate’s authorized committee, or a political party committee.” 11 C.F.R. § 109.20(a).³³

Additionally, under the Commission’s “coordinated communications” regulations at 11 C.F.R. § 109.21, a communication is coordinated with a candidate and/or that candidate’s authorized committee, and is thus a contribution to that candidate’s committee, when the communication (1) is paid for, in whole or in part, by a person other than the candidate or committee; (2) satisfies at least one of the “content standards” in the regulation, such as expressly advocating the election or defeat of a federal candidate;³⁴ and (3) satisfies at least one of the “conduct standards” in the regulation. *Id.* § 109.21(a).

The activities that satisfy the “conduct standard” are described at 11 C.F.R. § 109.21(d). Among other things, the conduct prong can be satisfied if a communication is created, produced, or distributed at the “request or suggestion” of a candidate or his agent, *id.* § 109.21(d)(1), or as the result of substantial discussions between the candidate and spender, *id.* § 109.21(d)(3), or if the candidate or his agent was materially involved in decisions about the communication, *id.* § 109.21(d)(2). A communication is distributed at the request or suggestion of a candidate if the

³³ Any expenditure that is “coordinated” within the meaning of this regulation, “but that is not made for a coordinated communication under 11 CFR 109.21” is treated as an in-kind contribution to the candidate with whom it was coordinated. 11 C.F.R. § 109.20(b) Similarly, the Commission regulation defining “independent expenditure” makes clear that an expenditure is not “independent” if it is “made in cooperation, consultation, or concert, with, or at the request or suggestion of,” a candidate, authorized committee, or a political party committee. 11 C.F.R. § 100.16.

³⁴ *Id.* § 109.21(c)(3).

entity financing the communication “suggest[s]” the communication and the candidate “assents to the suggestion.” *Id.* § 109.21(d)(1)(ii).

ACU’s \$80,000 in radio and digital communications in support of Kelsey satisfied the “payment” prong of the regulation, since they were paid for by a person other than Kelsey for Congress, and satisfied the “content” prong by expressly advocating for Kelsey’s election.

There is strong evidence that ACU’s expenditures satisfied the “conduct” prong. As discussed below, the timing and amount of the transfers from Kelsey’s state account to Standard Club PAC and ultimately to ACU (in part through Citizens 4 Ethics in Government), strongly indicate that ACU’s expenditures were — at a minimum — made at the request or suggestion of Kelsey (or his agents) within the meaning of section 109.21(d)(1).

a. ACU’s July 20 Expenditures

On July 11, Kelsey’s state campaign committee transferred \$106,341 to Standard Club PAC, which on July 15 transferred \$30,000 to ACU, which on July 20 reported \$30,000 in independent expenditures for radio ads in support of Kelsey.

To assert that this rapid series of events was mere coincidence — that Kelsey *just happened* to transfer funds to Standard Club PAC which days later *just happened* to channel \$30,000 to ACU immediately before ACU *just happened* to spend \$30,000 on advertising supporting Kelsey — would defy belief. The much simpler and more plausible inference is that Kelsey (or his agents) routed the funds to ACU to pay for the advertising. It is irrelevant whether this transfer was conducted in response to an express request from ACU or initiated by Kelsey; section 109.21(d)(1) provides that either such action would meet the “request or suggestion” conduct standard.³⁵ In other words, there is reason to believe that the conduct standard was met, regardless of whether Kelsey expressly requested the advertising or ACU expressly informed Kelsey of its planned advertising and Kelsey assented by paying for it. Therefore, there is reason to believe that ACU’s communications were made at the request or suggestion of Kelsey (or his agents).

The fact that Kelsey’s transfers so closely match ACU’s spending in both time and amount also strongly suggests that Kelsey (or his agents) were aware of that intended timing and/or amount. Accordingly, there is also reason to believe that Kelsey (or his agents) met the conduct standard by being materially involved in ACU’s planning or by engaging in substantial discussions with ACU about ACU’s communications. 11 C.F.R. § 109.21(d)(2)-(3).

b. ACU’s July 22 and July 26 Expenditures

³⁵ See also 11 C.F.R. § 109.21(e) (“Agreement or formal collaboration between the [payor] and the [candidate] is not required for a communication to be a coordinated communication.”); Coordinated and Independent Expenditures, 68 Fed. Reg. at 432 (explaining that section 109.21(d)(1)(ii) “is intended to prevent circumvention of the statutory ‘request or suggestion’ test . . . by, for example, the expedient of implicit understandings without a formal request or suggestion”).

Additionally, following Kelsey's state campaign committee's July 11 transfer of funds to Standard Club PAC, on July 15 and 20, the Standard Club PAC transferred a total of \$37,000 to Citizens 4 Ethics in Washington, and on July 21, Citizens 4 Ethics in Government transferred \$36,000 to ACU. The next day, July 22, ACU reported making a \$19,480 independent expenditure in support of Kelsey, and on July 26, reported an additional \$30,520 independent expenditure in support of Kelsey.

Standard Club PAC and Citizens 4 Ethics in Government are closely connected: Troy Brewer is Standard Club PAC's treasurer, the email address listed on Citizens 4 Ethics in Government's filings begins with "tbrewer," and its only reported disbursement for accounting services in the 2015-2016 cycle was to "Troy Brewer CPA Inc."

As above, there is reason to believe that ACU did not merely have funds fortuitously drop into its lap from the very candidate for whom it was preparing to advertise. For these funds to be quickly transferred from Kelsey's state campaign committee, to Standard Club PAC, to Citizens 4 Ethics in Government, and ultimately to ACU, which spent the funds on pro-Kelsey communications, strongly suggests coordination and discussion among these entities. There is therefore reason to believe that ACU's communications were made at the request or suggestion of Kelsey (or his agents) within the meaning of 11 C.F.R. § 109.21(d)(1). Similarly, the rapid sequence of transfers and spending also provides reason to believe that Kelsey (or his agents) engaged in substantial discussions with ACU, *id.* § 109.21(d)(3), and/or that there was material involvement by Kelsey (or his agents) in ACU's communication, *id.* § 109.21(d)(2).

Because ACU's \$80,000 in independent expenditures satisfied the three prongs of the coordinated communications test, 11 CFR § 109.21, ACU made as much as \$80,000 in in-kind contributions to Kelsey for Congress, and the surrounding circumstances suggest that ACU thereby knowingly and willfully violated FECA's prohibition on contributions to a candidate committee from a corporation, 52 U.S.C. § 30118(a) and (b)(2), and in excess of FECA's \$2,700 contribution limit, *id.* § 30116(a)(1).

II. KELSEY FOR CONGRESS KNOWINGLY AND WILLFULLY ACCEPTED PROHIBITED AND EXCESSIVE CONTRIBUTIONS FROM ACU AND FAILED TO REPORT THOSE CONTRIBUTIONS

Candidates and their campaign committees may not accept contributions in excess of federal limits, 52 U.S.C § 30116(a)(1), or from prohibited sources such as corporations, *id.* § 30118(a); *see also* 11 C.F.R. § 110.9. A candidate's campaign committee must also report the identity of all persons who contribute more than \$200. 52 U.S.C § 30104(b).

As described in Count I, there is reason to believe that ACU made \$80,000 in in-kind contributions to Kelsey for Congress in the form of coordinated communications, and therefore there is also reason to believe that Kelsey for Congress knowingly and willfully accepted in-kind contributions from ACU in excess of FECA's \$2,700 limit, 52 U.S.C. § 30116(a)(1); in violation of FECA's prohibition on contributions to a candidate committee using corporate funds, 52 U.S.C. § 30118(a) and (b)(2); and in violation of FECA's requirement that candidates report and disclose all contributions received, 52 U.S.C. § 30104(b).

III. RESPONDENTS KNOWINGLY AND WILLFULLY VIOLATED FECA'S STRAW DONOR PROHIBITION

There is reason to believe that the transfers between Kelsey's state committee, Standard Club PAC, and Citizens 4 Ethics in Government all violated FECA's "straw donor" prohibition, which provides that "[n]o person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution and no person shall knowingly accept a contribution made by one person in the name of another person." 52 U.S.C. § 30122. There is also reason to believe that Kelsey's state committee and associated Red State PAC, respondent Tennessee state lawmakers, and Kelsey for Congress violated the straw donor ban by arranging for Kelsey's state committee and Red State PAC to reimburse the lawmakers for their contributions to Kelsey for Congress. *Id.*

The Commission regulation implementing the statutory prohibition on "contributions in the name of another" provides the following examples of "contributions in the name of another":

- "Giving money or anything of value, all or part of which was provided to the contributor by another person (the true contributor) without disclosing the source of money or the thing of value to the recipient candidate or committee at the time the contribution is made." 11 C.F.R. § 110.4(b)(2)(i).
- "Making a contribution of money or anything of value and attributing as the source of the money or thing of value another person when in fact the contributor is the source." 11 C.F.R. § 110.4(b)(2)(ii).

a. Straw Donor Contributions to Citizens 4 Ethics in Government and ACU

On July 11, Kelsey's state committee transferred \$106,341 to Standard Club PAC (which at the time had only \$27,792 in funds in its account), and on July 15 Standard Club PAC transferred \$30,000 to ACU and \$30,000 to Citizens 4 Ethics in Government, plus an additional \$7,000 on July 20.³⁶ On July 21, Citizens for Ethics in Government then transferred \$36,000 of the \$37,000 it received from Standard Club PAC to ACU.

Given the timing and amount of these transfers, there is reason to believe that Kelsey's state committee knowingly and willfully violated 52 U.S.C. § 30122 by "[m]aking a contribution of money" to ACU and Citizens 4 Ethics in Government "and attributing as the source of the money" Standard Club PAC, "when in fact" Kelsey's state committee "was the source." *See* 11 C.F.R. § 110.4(b)(2)(ii).

There is additionally reason to believe that Standard Club PAC knowingly and willfully violated 52 U.S.C. § 30122 by knowingly permitting its name to be used to effect the Kelsey state committee's straw donor contributions to ACU and Citizens for Ethics in Government, and by "[g]iving money . . . , all or part of which was provided to" Standard Club PAC by Kelsey's

³⁶ The \$37,000 from Standard Club PAC constituted the entirety of the contributions Citizens 4 Ethics in Government received over the reporting period, and almost the entirety of contributions it received during the year

state committee (i.e., the true contributor) without disclosing the source of money at the time the contribution was made. *See* 11 C.F.R. § 110.4(b)(2)(i).

There is additionally reason to believe that Citizens 4 Ethics in Government knowingly and willfully violated 52 U.S.C. § 30122 by knowingly accepting a contribution in the name of Standard Club PAC when it knew that the true contributor was Kelsey’s state committee.³⁷ And there is reason to believe Citizens 4 Ethics in Government knowingly and willfully violated 52 U.S.C. § 30122 by permitting its name to be used to effect a straw donor contribution to ACU, when the true contributor was Kelsey’s state committee. *See* 11 C.F.R. § 110.4(b)(2)(i).³⁸

b. Straw Donor Contributions to Kelsey for Congress

Published reports also indicate that that Kelsey’s state committee and state PAC, Red State PAC, reimbursed certain Tennessee state lawmakers for their contributions to Kelsey for Congress.³⁹ On April 29, 2016, Red State PAC donated \$1,000 to state Sen. Todd Gardenhire’s campaign committee, and on May 3, Gardenhire personally contributed \$1,000 to Kelsey for Congress.⁴⁰ On December 28, 2015, Red State PAC gave \$1,000 to state Sen. Steve Dickerson; on February 10, 2016, Dickerson personally contributed \$1,000 to Kelsey for Congress.⁴¹ On April 22, 2016, Red State PAC gave \$1,000 to Rep. Ron Gant; on June 23, 2016, Gant contributed \$1,000 to Kelsey for Congress.⁴² On March 22, 2016, Glen Casada gave \$1,000 to Kelsey for Congress; shortly thereafter, Red State PAC gave Casada’s state PAC \$2,500.⁴³ On March 18, Dolores Gresham gave \$1,000 to Kelsey for Congress; on April 29, Red State PAC gave Gresham’s committee \$2,500.⁴⁴ On March 27, Martin Daniel gave Kelsey for Congress \$500; on April 27, Red State PAC gave Daniel’s committee \$1,000.⁴⁵ On April 29, Red State PAC gave Steve Glover’s committee \$500; on July 19, Glover gave Kelsey for Congress \$500.⁴⁶

³⁷ In addition to the timing of the contributions, Standard Club PAC’s treasurer, Troy Brewer, was also paid by Citizens 4 Ethics in Government for compliance/accounting services, and Citizens 4 Ethics in Government was founded by Andy Miller, who is also a major supporter of the Standard Club PAC. And the receipts from Standard Club PAC, and disbursements to ACU, constituted almost the entirety of the committee’s activities for 2016.

³⁸ Citizens 4 Ethics in Government’s report described its transfer to ACU as a “contribution,” and on its reports filed with the Commission described the contribution as coming from its own funds, rather than from Kelsey’s state committee. Citizens 4 Ethics in Government, October Quarterly, *supra* note 14, at 7.

³⁹ Boucher and Ebert, *More Sen. Brian Kelsey Campaign Transactions Hint at Possible Straw Donor Issues*, THE TENNESSEAN, *supra* note 24.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* On Mar. 22, 2016, Casada’s state PAC also reported to Tennessee authorities the making of an additional \$1,000 contribution to Kelsey for Congress that never appeared on Kelsey for Congress’ reports filed with the Commission. *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

Using these reimbursements, Kelsey laundered his state committee funds — which he could not lawfully transfer to his federal campaign, 11 C.F.R. § 110.3(d) — by exchanging them for individual hard-money contributions from individual state legislators.⁴⁷

Commission precedent makes clear that the straw donor ban prohibits a third party from reimbursing a contributor, in whole or in part, for a contribution to a federal candidate’s committee. *See, e.g.* MUR 5903 (PBSJ Corporation); MUR 5927 (Solomon); MUR 5955 (Valdez); MUR 6184 (Skyway Concession); MUR 6186 (Leggio); MUR 6465 (Fiesta Bowl). For example, in MUR 5948 (Critical Health Systems of North Carolina), the Commission found reason to believe the straw donor ban had been violated based on a pattern of “bonus” payments from a corporation to partners who had made contributions, even if the amount and timing of the reimbursements did not precisely align with the amount and timing of the contributions. *Id.*

Therefore, there is reason to believe that Kelsey’s state committee and Red State PAC knowingly and willfully violated 52 U.S.C. § 30122 by making contributions of money to Kelsey for Congress “and attributing as the source of the money” certain Tennessee state legislators, “when in fact” Kelsey’s state committee and Red State PAC were the sources. *See* 11 C.F.R. § 110.4(b)(2)(ii).

There is additionally reason to believe that certain Tennessee state legislators knowingly and willfully violated 52 U.S.C. § 30122 by knowingly permitting their names to be used to effect the Kelsey state committee’s and Red State PAC’s straw donor contributions to Kelsey for Congress. *See* 11 C.F.R. § 110.4(b)(2)(i).

Finally, given that Kelsey’s state committee, Red State PAC, and Kelsey for Congress all employed the same treasurer, there is reason to believe that Kelsey for Congress knowingly and willfully violated 52 U.S.C. § 30122 by knowingly accepting contributions in the names of certain Tennessee lawmakers when it knew that the true contributors were Kelsey’s state committee and Red State PAC, and additionally violated 52 U.S.C. § 30104(b) by failing to accurately report the identity of its contributors.

IV. KELSEY KNOWINGLY AND WILLFULLY VIOLATED FECA’S SOFT MONEY PROHIBITION

Because Kelsey’s state campaign committee made contributions to his federal committee through the schemes described above, there is reason to believe that Kelsey violated the soft money bans on a federal candidate “transfer[ring]” non-federal funds in connection with a federal election, 52 U.S.C. § 30125(e)(1)(A), and on transferring non-federal funds from a candidate’s state campaign to his federal campaign, 11 CFR § 110.3(d).

Tennessee allows state candidate committees to accept donations in amounts and from sources prohibited by federal law. In 2015-2016, the campaign committee for a Tennessee state senate candidate like Kelsey could accept donations of up to \$11,500 per election (\$23,000 per

⁴⁷ There are likely additional straw donors, and if the Commission finds any in its investigation it should add those individuals as respondents.

cycle) from corporations, unions, and state PACs.⁴⁸ A federal candidate’s committee, in contrast, is prohibited from accepting contributions from corporations and unions, and cannot accept contributions from multicandidate PACs in excess of \$5,000 per election. Additionally, Tennessee imposes no limits on the amount an individual may donate to a PAC,⁴⁹ and a PAC receiving such unlimited donations may then donate up to \$11,500 per election to candidates;⁵⁰ in contrast, federal law limits to \$5,000 the amount that an individual may contribute to a PAC, and a PAC may contribute no more than \$5,000 per election to a candidate (\$2,700 for a non-multicandidate PAC).

The Commission has long recognized that many “[c]ontributions to state candidates . . . would be impermissible if given to a federal candidate,” and accordingly the Commission’s regulations prohibit all transfers from a candidate’s state campaign account to that candidate’s federal campaign committee. 11 CFR 110.3(d); *see also* Explanation and Justification for Transfer of Funds from State to Federal Campaigns, 58 Fed. Reg. 3474 (January 8, 1993) (noting that some states allow “contributions to state candidates that would exceed FECA limits . . . [and] allow corporations and labor organizations to make contributions to state candidates”).

More generally, federal law contains a “soft money” prohibition to prevent the circumvention of the base \$2,700 candidate contribution limit, and of the prohibition on corporate and union contributions to federal candidates. Section 30125(e)(1) states:

A candidate, individual holding Federal office, agent of a candidate or individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 or more candidates or individuals holding Federal office, shall not —

(A) solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act....

52 U.S.C. § 30125(e)(1) (emphasis added).

This soft money prohibition is broadly drafted. It applies, *inter alia*, to any candidate for federal office, to any agent of a candidate, and to any “entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of” a candidate. *Id.*; *see also* 11 C.F.R. §§ 300.60, 300.61. Candidates and their agents cannot “solicit, receive, direct, transfer or spend

⁴⁸ Tenn. Code Ann. § 2-10-302(b)(1) (West); *see also* Tenn. Bureau of Ethics and Campaign Finance, *2015/16 Contribution Limit Changes*, http://www.tn.gov/assets/entities/tref/attachments/Campaign_Finance_Limit_Changes_for_2015_and_2016.pdf.

⁴⁹ *See, e.g.* Tenn. Bureau of Ethics and Campaign Finance, *Campaign Finance Guide for PACs* at 8, <https://www.tn.gov/assets/entities/tref/attachments/PACCFDBooklet8x11.pdf>.

⁵⁰ Tenn. Bureau of Ethics and Campaign Finance, *2015/16 Contribution Limit Changes*, *supra* note 43.

funds in connection with an election for Federal office” unless those funds comply with federal law’s contribution limits, prohibitions and reporting requirements. *Id.*

As the Commission recently observed, together these soft money provisions “are designed to prevent the use of funds that are outside the limitations and prohibitions of the Act in federal elections, and to ensure that all funds used in federal elections are reported.” MUR 7109 (Portantino), Factual and Legal Analysis at 4.⁵¹

Kelsey’s state senate campaign committee raised funds under non-federal limits and from prohibited non-federal sources. After Kelsey became a federal candidate, Kelsey’s state campaign committee—which was an entity “established” and “controlled by or acting on behalf of” Kelsey—transferred \$106,347 to Standard Club PAC, which promptly transferred \$67,000 to Citizens 4 Ethics in Government and ACU, which ultimately aired independent expenditures supporting Kelsey’s federal candidacy.

At a minimum, the timing and amounts of the transfers provide reason to believe that Brian Kelsey knowingly and willfully violated the soft money ban on a federal candidate “transfer[ring]” non-federal funds in connection with a federal election. 52 U.S.C. § 30125(e)(1)(A).

Additionally, because ACU’s expenditures constituted coordinated communications and should have been reported as in-kind contributions to Kelsey for Congress, *see* Count I, and because Kelsey’s state campaign committee was the true source of those funds, *see* Count III(a), there is reason to believe that Kelsey additionally violated 52 U.S.C. § 30125(e)(1)(A) by knowingly and willfully “receiv[ing]” those soft money funds, and violated 11 CFR § 110.3(d) by, in effect, transferring funds from his nonfederal state committee to his principal federal campaign committee, *id.* § 110.3(d).⁵²

Also, because Kelsey’s state campaign committee and Red State PAC reimbursed Tennessee state legislators for their contributions to Kelsey for Congress, *see* Count III(b), there is reason to believe Kelsey knowingly and willfully violated 11 CFR § 110.3(d) by transferring funds from his state campaign committee to his federal campaign committee through those straw donors, and violated 11 CFR § 300.63 by spending non-federal funds from his state campaign committee for his federal election.⁵³ To the extent that Red State PAC is distinct from Kelsey’s state campaign committee, or used funds not derived from that committee, Kelsey also violated 52 U.S.C. § 30125(e)(1)(A) by transferring soft money from Red State PAC to his federal campaign committee through those straw donors. Finally, Kelsey and Kelsey for Congress also

⁵¹ Available at <http://eqs.fec.gov/eqsdocsMUR/17044415960.pdf>.

⁵² The conduct at issue here falls outside of the exception at 52 U.S.C. § 30125(e)(2), since Kelsey’s state campaign funds were not spent “solely in connection with [an] election for State or local office.”

⁵³ Reports indicate that Kelsey also transferred substantial funds from his state campaign committee to Red State PAC: approximately \$45,249 in the first half of 2016, according to reports filed with state authorities. *See e.g.*, Brian K. Kelsey, Early Mid-Year Supplemental 2018, Tenn. Online Campaign Finance (July 14, 2016), https://apps.tn.gov/tncamp-app/search/pub/report_full.htm?reportId=70530.

knowingly and willfully violated section 30125(e)(1)(A) by “receiv[ing]” soft money funds from Kelsey’s state campaign committee and from Red State PAC.

V. ACU FAILED TO REPORT CONTRIBUTIONS FOR INDEPENDENT EXPENDITURES

Even if ACU’s expenditures were not coordinated with Kelsey for Congress, there would nonetheless be reason to believe that ACU knowingly and willfully violated FECA by failing to disclose all contributions made for the purpose of furthering its \$80,000 in reported independent expenditures. 52 U.S.C. §§ 30104(c)(1), 30104(c)(2)(C); 11 C.F.R. § 109.10(e)(1)(vi).

An “independent expenditure” is an expenditure by a person for a communication “expressly advocating the election or defeat of a clearly identified candidate” that is not coordinated with a candidate or a political party. 2 U.S.C. § 30101(17); 11 C.F.R. § 100.16(a).

FECA requires every person (other than a political committee) who expends more than \$250 on independent expenditures to file a report with the Commission identifying each person who makes contributions totaling more than \$200 in a calendar year to the person making the independent expenditure. 52 U.S.C. § 30104(c)(1) (referencing *id.* § 30104(b)(3)(A)). FECA further requires that reports filed under these provisions identify each person who made a contribution in excess of \$200 to the person filing the report that “was made for the purpose of furthering an independent expenditure.” *Id.* § 30104(c)(2)(C). The Commission by regulation has interpreted these provisions to require the reports identify each person who made a contribution in excess of \$200 to the person filing the report that “was made for the purpose of furthering the reported independent expenditure.” 11 C.F.R. § 109.10(e)(1)(vi).

ACU’s FEC Form 5, Report of Independent Expenditures Made and Contributions Received, did not report the identity of any person(s) who had contributed for the purpose of furthering its independent expenditures in support of Kelsey. However, the timing and amount of the contributions that ACU received in advance of those expenditures indicate that ACU did in fact receive contributions for the purpose of furthering those expenditures.

For example, the amount and timing of Standard Club PAC’s \$30,000 contribution to ACU on July 15 — as well as the fact that those funds originated from Kelsey — provide evidence the contribution was made for the purpose of furthering ACU’s \$30,000 independent expenditure on July 20. There is similar evidence that Citizens 4 Ethics in Government’s \$36,000 contribution to ACU on July 21 was made for the purpose of furthering ACU’s \$19,480 independent expenditure on July 22 and its \$30,520 independent expenditure on July 26.

By failing to report all contributions made for the purpose of funding ACU’s independent expenditures, there is reason to believe that ACU knowingly and willfully violated FECA’s disclosure and reporting requirements. 52 U.S.C. §§ 30104(c)(1), 30104(c)(2)(C); 11 C.F.R. § 109.10(e)(1)(vi).⁵⁴

⁵⁴ At a minimum, ACU should have reported Citizens 4 Ethics in Government and Standard Club PAC as having contributed for the purpose of funding its \$80,000 in independent expenditures. And, because there is reason to believe that ACU knew that Kelsey’s state campaign committee was the

Conclusion

Under the circumstances involved in this case, we request you to exercise your authority to undertake an investigation of whether Kelsey, his state and federal committees, Standard Club PAC, Citizens 4 Ethics in Government and ACU knowingly and willfully violated FECA by passing tens of thousands of dollars in soft money from Kelsey's state account as disguised contributions through conduits, ultimately resulting in excessive contributions to Kelsey's federal committee, in violation of 52 U.S.C. §§ 30125(e)(1), 30122, and 30116(a)(1). And, we request you investigate whether Kelsey, his state and federal committees, and certain Straw Donors knowingly and willfully violated FECA through the reimbursement scheme that may have resulted in thousands more in disguised soft money contributions to Kelsey's federal committee, in violation of sections 30125(e)(1) and 30116(a)(1).

Respectfully submitted,

Brendan M. Fischer
/S/ Brendan M. Fischer
Federal Reform Program Director
Campaign Legal Center

Fred Wertheimer
/S/ Fred Wertheimer
President
Democracy 21

Copy to:

Kenneth A. Blanco, Acting Assistant Attorney General, Criminal Division
Raymond Hulser, Chief, Public Integrity Section
Richard C. Pilger, Director, Election Crimes Branch

original source of the contributions, *see* Count III, ACU should have reported Kelsey's state committee as the source of the contributions.

Exhibit A

Search Results

Searched for **candidate records with name beginning with Kelsey constrained by election year.**

One result found.

Name	Contact Info	Treasurer Name	Treasurer Contact Info	Report List
KELSEY, BRIAN K	1661 AARON BRENNER DRIVE, SUITE 300 MEMPHIS TN, 38120 (901)235-2031	WILLIAM H. WATKINS, III	1661 AARON BRENNER DRIVE, SUITE 300 MEMPHIS TN, 38120 (901)761-2720	Report List

Export options: [CSV](#) | [Excel](#)

Exhibit B

Search Results

Searched for records with name beginning with Red State PAC .

One result found.

Name	Contact Info	Treasurer Name	Treasurer Contact Info	Report List
RED STATE PAC	1661 AARON BRENNER DRIVE, STE 300 MEMPHIS TN, 38120 (901)761-2720 kenna@wucpas.com	WILLIAM WATKINS, III	1661 AARON BRENNER DRIVE SUITE 300 MEMPHIS TN, 38120 (901)761-2720 kenna@wucpas.com	Report List

Export options: [CSV](#) | [Excel](#)

Exhibit C

Beginning Balance

Beginning Balance \$102,441.66

Receipts

Monetary Contributions, Unitemized \$200.00

Monetary Contributions, Itemized

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
ADAMS AND REESE PAC 424 CHURCH STREET, STE 2700 NASHVILLE , TN 37219	P	Primary	01/09/2017	\$1,000.00	\$2,000.00
ASHE , VICTOR 3709 KINGSTON PIKE KNOXVILLE , TN 37919 RETIRED NONE		General	09/20/2016	\$1,200.00	\$1,200.00
ASHE , VICTOR 3709 KINGSTON PIKE KNOXVILLE , TN 37919 RETIRED NONE		Primary	09/20/2016	\$1,500.00	\$1,500.00
AT&T TENNESSEE PAC 333 COMMERCE ST, SUITE 2102 NASHVILLE , TN 37201-3300	P	Primary	01/09/2017	\$1,000.00	\$2,500.00
BALLARD , JOHN M 656 GOOD SPRINGS RD BRENTWOOD , TN 37027 ATTORNEY LAW OFFICES OF JOHN M BALLARD		General	09/30/2016	\$1,200.00	\$1,200.00
BALLARD , JOHN M 656 GOOD SPRINGS RD BRENTWOOD , TN 37027 ATTORNEY LAW OFFICES OF JOHN M BALLARD		Primary	09/30/2016	\$1,500.00	\$1,500.00
BMHC PAC P.O. BOX 171204 MEMPHIS , TN 38187	P	Primary	01/09/2017	\$250.00	\$250.00

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
BOWEN , JAY S. 61 REVERE PARK NASHVILLE , TN 37205 ATTORNEY BOWEN UNGER PLC		Primary	09/30/2016	\$300.00	\$300.00
BOYLE , PAUL 848 REDDOCH STREET MEMPHIS , TN 38120 REAL ESTATE DEVELOPER BOYLE INVESTMENTS INC		General	09/16/2016	\$1,200.00	\$1,200.00
BOYLE , PAUL 848 REDDOCH STREET MEMPHIS , TN 38120 REAL ESTATE DEVELOPER BOYLE INVESTMENTS INC		Primary	09/30/2016	\$1,500.00	\$1,500.00
BRADLEY ARANT BOULT CUMMINGS TENNESSEE STATE PAC 1600 DIVISION STREET, SUITE 700 NASHVILLE , TN 37203	P	Primary	01/09/2017	\$1,000.00	\$1,000.00
BROWN , TRAVIS 106 PIRATES COVE RD MARATHON , FL 33050 CEO FIRST RULE FILM & BROADCAST		General	09/30/2016	\$1,200.00	\$1,200.00
BROWN , TRAVIS 106 PIRATES COVE RD MARATHON , FL 33050 CEO FIRST RULE FILM & BROADCAST		Primary	09/30/2016	\$1,500.00	\$1,500.00
BUTLER SNOW PAC P.O. BOX 6010 RIDGELAND , MS 39158	P	Primary	01/05/2017	\$500.00	\$1,000.00
CARLISLE , CHANCE 3713 MIMOSA AVE MEMPHIS , TN 38111 CARLISLE CORPORATION PRESIDENT & CEO		General	09/20/2016	\$1,200.00	\$1,200.00
CARLISLE , CHANCE 3713 MIMOSA AVE MEMPHIS , TN 38111 CARLISLE CORPORATION PRESIDENT & CEO		Primary	09/20/2016	\$1,500.00	\$1,500.00
CARLISLE , JESSICA 179 TUCKAHOE LN MEMPHIS , TN 38117 HOMEMAKER NONE		General	09/20/2016	\$1,200.00	\$1,200.00
CARLISLE , JESSICA 179 TUCKAHOE LN MEMPHIS , TN 38117 HOMEMAKER NONE		Primary	09/20/2016	\$1,500.00	\$1,500.00
COMCAST CORPORATION 1701 JFK BLVD., 49TH FLOOR PHILADELPHIA , PA 19103	P	Primary	09/22/2016	\$1,000.00	\$2,000.00

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
CONCERNED AUTOMOTIVE RETAILERS PAC 2521 WHITE AVE NASHVILLE , TN 37204	P	Primary	01/03/2017	\$1,000.00	\$1,000.00
DAVIS , HARRISON 2005 STONEHURST DR NASHVILLE , TN 37215 RETIRED RETIRED		General	07/05/2016	\$1,500.00	\$1,500.00
DAVIS , HARRISON 2005 STONEHURST DR NASHVILLE , TN 37215 RETIRED RETIRED		Primary	07/05/2016	\$1,500.00	\$1,500.00
DETTWILLER , FRED 301 GREAT CIRCLE RD NASHVILLE , TN 37228 CEO DET DISTRIBUTING		General	09/20/2016	\$1,200.00	\$1,200.00
DETTWILLER , FRED 301 GREAT CIRCLE RD NASHVILLE , TN 37228 CEO DET DISTRIBUTING		Primary	09/20/2016	\$1,500.00	\$1,500.00
DETTWILLER , KATHRYN 301 GREAT CIRCLE RD NASHVILLE , TN 37228 HOMEMAKER NONE		General	09/20/2016	\$1,200.00	\$1,200.00
DETTWILLER , KATHRYN 301 GREAT CIRCLE RD NASHVILLE , TN 37228 HOMEMAKER NONE		Primary	09/20/2016	\$1,500.00	\$1,500.00
ELLIOT , BEVERLY BABB PO BOX 1477 MT. JULIET , TN 37121 RETIRED RETIRED		General	09/27/2016	\$1,200.00	\$1,200.00
ELLIOT , BEVERLY BABB PO BOX 1477 MT. JULIET , TN 37121 RETIRED RETIRED		Primary	09/27/2016	\$1,500.00	\$1,500.00
FARRIS MATHEWS BRANAN BOBANGO & HELLEN PAC ONE COMMERCE SQUARE, SUITE 2000 MEMPHIS , TN 38103	P	Primary	01/09/2017	\$1,000.00	\$1,000.00
FLEX PAC 100 OCEANSIDE DRIVE NASHVILLE , TN 37204	P	Primary	01/04/2017	\$1,500.00	\$1,500.00
GENERAL MOTORS COMPANY PAC (GMPAC) 25 MASSACHUSETTS AVE., NW, SUITE 400 WASHINGTON , DC 20001	P	Primary	12/15/2016	\$1,000.00	\$1,000.00

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
HALL , CHRIS 415 WEST POPLAR AVENUE COLLIERVILLE , TN 38017 ATTORNEY HODGES DOUGHTY & CARSON, PLLC		General	09/16/2016	\$1,500.00	\$1,500.00
HALL , CHRIS 415 WEST POPLAR AVENUE COLLIERVILLE , TN 38017 ATTORNEY HODGES DOUGHTY & CARSON, PLLC		Primary	09/16/2016	\$1,500.00	\$1,500.00
HALL , WATSON BROOKS 415 WEST POPLAR AVENUE COLLIERVILLE , TN 38017 OWNER THE BROOKS COLLECTION		General	09/16/2016	\$900.00	\$900.00
HALL , WATSON BROOKS 415 WEST POPLAR AVENUE COLLIERVILLE , TN 38017 OWNER THE BROOKS COLLECTION		Primary	09/16/2016	\$1,500.00	\$1,500.00
HAND FAMILY COMPANIES LLC PO BOX 30789 CLARKSVILLE , TN 37040		General	09/20/2016	\$1,200.00	\$1,200.00
HAND FAMILY COMPANIES LLC PO BOX 30789 CLARKSVILLE , TN 37040		Primary	09/20/2016	\$1,500.00	\$1,500.00
HAYES , JEREMY H 133 NOEL COVE CIR HERMITAGE , TN 37076 PRESIDENT MIDDLE TENNESSEE CARES		Primary	12/14/2016	\$1,000.00	\$1,000.00
HOMETOWN PHARMACY PAC 750 OLD HICKORY BLVD., BUILDING 2, STE. 150 BRENTWOOD , TN 37027	P	Primary	01/09/2017	\$1,000.00	\$2,000.00
HOUSING INDUSTRY PAC 213 FIFTH AVENUE NORTH- SUITE 200 NASHVILLE , TN 37219	P	Primary	07/05/2016	\$1,000.00	\$1,000.00
INDEPENDENT MEDICINE'S PAC-TN 2301 21ST AVE. SOUTH NASHVILLE , TN 37212	P	Primary	08/10/2016	\$1,500.00	\$1,500.00
KERAS , PENNY 150 S GOODLETT MEMPHIS , TN 38117 RETIRED NONE		Primary	09/30/2016	\$1,000.00	\$1,000.00
KIRTLEY , JOHN 511 WEST BAY ST TAMPA , FL 33606 FINANCE KLH CAPITAL		General	09/30/2016	\$1,200.00	\$1,200.00

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
KIRTLEY , JOHN 511 WEST BAY ST TAMPA , FL 33606 FINANCE KLH CAPITAL		Primary	09/30/2016	\$1,500.00	\$1,500.00
LAND TITLE PAC OF TN 414 UNION AVENUE, SUITE 1105 NASHVILLE , TN 37219	P	Primary	01/09/2017	\$500.00	\$500.00
MCINTOSH JR , BARRY P 9 HILLCREST CL PARIS , TN 38242 CEO SECURITY BANK AND TRUST COMPANY		Primary	09/30/2016	\$1,000.00	\$1,000.00
MCNALLY , RANDY 94 ROYAL TROON CIRCLE OAK RIDGE , TN 37830	C	Primary	08/22/2016	\$1,000.00	\$1,000.00
MCPAC P.O. BOX 331983 NASHVILLE , TN 37203	P	Primary	09/07/2016	\$1,000.00	\$1,000.00
MOORE , JACKSON W 2022 FLOWERS OAK CV GERMANTOWN , TN 38138 PRIVATE INVESTOR SELF-EMPLOYED		General	09/30/2016	\$1,200.00	\$1,200.00
MOORE , JACKSON W 2022 FLOWERS OAK CV GERMANTOWN , TN 38138 PRIVATE INVESTOR SELF-EMPLOYED		Primary	09/30/2016	\$1,500.00	\$1,500.00
NAT'L HEALTH CORP. PAC 100 VINE ST. MURFREESBORO , TN 37127	P	Primary	01/02/2017	\$1,000.00	\$2,500.00
PRICE , RICHARD 7446 WEEPING WILLOW GERMANTOWN , TN 38138 LEGAL REAL ESTATE THE BONE COLLECTORS, LLC		Primary	07/16/2016	\$750.00	\$750.00
SHOCKEY , LEIGH 180 SHOCKEY WAY ROSSVILLE , TN 38066 PRESIDENT DREXEL CHEMICAL		General	09/27/2016	\$1,200.00	\$1,200.00
SHOCKEY , LEIGH 180 SHOCKEY WAY ROSSVILLE , TN 38066 PRESIDENT DREXEL CHEMICAL		Primary	09/27/2016	\$1,500.00	\$1,500.00
SPARKS , RITA T. 6035 SWEETBRIAR COVE MEMPHIS , TN 38120 COMMODITIES BROKER SPARK COMPANIES		Primary	09/30/2016	\$300.00	\$300.00

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
STOWERS JR , HARRY 8733 INLET DR KNOXVILLE , TN 37922 CO-FOUNDER STOWERS MACHINERY CORP.		General	09/20/2016	\$1,200.00	\$1,200.00
STOWERS JR , HARRY 8733 INLET DR KNOXVILLE , TN 37922 CO-FOUNDER STOWERS MACHINERY CORP.		Primary	09/20/2016	\$1,500.00	\$1,500.00
TBA INVESTMENTS 186 NORTH 1ST STREET NASHVILLE , TN 37213		Primary	09/30/2016	\$1,000.00	\$1,000.00
TENNESSEANS FOR PUTTING STUDENTS FIRST P.O. BOX 190492 NASHVILLE , TN 37219	P	Primary	12/12/2016	\$1,000.00	\$2,000.00
TENNESSEANS FOR PUTTING STUDENTS FIRST P.O. BOX 190492 NASHVILLE , TN 37219	P	Primary	07/19/2016	\$1,000.00	\$2,000.00
TENNESSEE ASSOCIATION OF BROADCASTERS PAC TWO INTERNATIONAL PLAZA DR., STE. 902 NASHVILLE , TN 37217	P	Primary	12/16/2016	\$1,000.00	\$2,000.00
TENNESSEE DENTAL PAC 660 BAKERS BRIDGE AVE #300 FRANKLIN , TN 37067	P	Primary	12/15/2016	\$1,000.00	\$1,000.00
TENNESSEE FEDERATION FOR CHILDREN PAC 1660 L ST., NW, SUITE 1000 WASHINGTON , DC 20036	P	Primary	01/05/2017	\$200.00	\$4,200.00
TENNESSEE FEDERATION FOR CHILDREN PAC 1660 L ST., NW, SUITE 1000 WASHINGTON , DC 20036	P	Primary	07/01/2016	\$2,000.00	\$4,200.00
TENNESSEE HEALTH CARE ASSN PAC 5120 VIRGINIA WAY, SUITE A21 BRENTWOOD , TN 37027	P	Primary	01/09/2017	\$1,000.00	\$1,000.00
TENNESSEE HOSPITALITY PAC 475 CRAIGHEAD STREET NASHVILLE , TN 37204	P	Primary	11/16/2016	\$1,000.00	\$1,000.00
TENNESSEE PROFESSIONAL ENGINEERS PAC 800 FORT NEGLEY BLVD NASHVILLE , TN 37203	P	Primary	01/09/2017	\$1,000.00	\$1,000.00
TENNESSEE REALTORS PAC 901 19TH AVE SOUTH NASHVILLE , TN 37212	P	Primary	01/03/2017	\$1,000.00	\$2,000.00

Contributor	C/P	Rec'd For	Date	Amount	Aggregate
TENNESSEE REALTORS PAC 901 19TH AVE SOUTH NASHVILLE , TN 37212	P	Primary	10/20/2016	\$1,000.00	\$2,000.00
THE KROGER CO. 2620 ELM HILL PIKE NASHVILLE , TN 37214	P	Primary	01/06/2017	\$1,000.00	\$2,000.00
THOMAS , JOAN 4366 WEST CHERRY PLACE MEMPHIS , TN 38117 PROFESSOR LOWENBERG SCHOOL OF NURSING		General	09/20/2016	\$1,200.00	\$1,200.00
THOMAS , JOAN 4366 WEST CHERRY PLACE MEMPHIS , TN 38117 PROFESSOR LOWENBERG SCHOOL OF NURSING		Primary	09/20/2016	\$1,500.00	\$1,500.00
WALLACE , SALLY 428 WILEY PARKER RD JACKSON , TN 38305 HOMEMAKER NONE		General	09/30/2016	\$1,200.00	\$1,200.00
WALLACE , SALLY 428 WILEY PARKER RD JACKSON , TN 38305 HOMEMAKER NONE		Primary	09/30/2016	\$1,500.00	\$1,500.00
WALLER LANSDEN PAC 511 UNION ST., SUITE 2700 NASHVILLE , TN 37219	P	Primary	01/09/2017	\$1,000.00	\$1,000.00
WEST TENNESSEE RADIOLOGY PAC 7600 WOLF RIVER BLVD SUITE 200 GERMANTOWN , TN 38138	P	Primary	12/12/2016	\$2,000.00	\$2,000.00
WHOLESALERS ASSN PAC 404 JAMES ROBERTSON PARKWAY, #1605 NASHVILLE , TN 37219	P	Primary	01/09/2017	\$1,500.00	\$3,000.00
TOTAL CONTRIBUTIONS (other than adjustments, loans, and interest)					\$90,100.00
Contribution Adjustments					\$0.00
Loans Received					\$0.00
Interest Received This Reporting Period					\$0.00

Disbursements

Expenditures, Unitemized

Purpose	Amount
DUES / SUBSCRIPTIONS	\$100.00
SERVICE FEES	\$29.55

Expenditures, Itemized

Vendor	C/P	Purpose	Date	Amount
GODADDY.COM 14455 N HAYDEN RD STE 219 SCOTTSDALE , AZ 85260		WEBSITE	07/15/2016	\$119.88
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	01/05/2017	\$1,000.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	11/17/2016	\$2,000.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	10/07/2016	\$2,000.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	09/19/2016	\$500.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	07/05/2016	\$100.00
ROBERTS , KERRY P. O. BOX 200 SPRINGFIELD , TN 37172	C	DONATIONS	01/09/2017	\$1,000.00
SENATE REPUBLICAN CAUCUS P.O. BOX 331983 NASHVILLE , TN 37203	P	DONATIONS	10/19/2016	\$10,000.00
STANDARD CLUB PAC 162 ROSA PARKS NASHVILLE , TN 37203	P	DONATIONS	07/11/2016	\$106,341.66
WATKINS UIBERALL PLLC 1661 AARON BRENNER DR STE 300 MEMPHIS , TN 38120		ACCOUNTING	08/12/2016	\$500.00

Loan Payments	\$0.00
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Obligation Payments	\$0.00
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TOTAL EXPENDITURES (other than adjustments)	\$123,691.09
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Expenditures, Adjustments	\$0.00
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TOTAL DISBURSEMENTS	\$123,691.09
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Ending Balance

ENDING BALANCE	\$68,850.57
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Outstanding Loans

TOTAL OUTSTANDING LOAN BALANCE	\$0.00
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In-Kind Contributions

In-Kind Contributions are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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TOTAL IN-KIND CONTRIBUTIONS	\$0.00
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Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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Obligations, Outstanding from Previous Reports	\$0.00
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TOTAL OBLIGATIONS OUTSTANDING	\$0.00
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Exhibit D

Beginning Balance

Beginning Balance	\$28,564.94
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Receipts

Monetary Contributions, Unitemized	\$0.00
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Monetary Contributions, Itemized

Contributor	C/P	Date	Amount
COMCAST FINANCIAL INC. 1701 JFK BLVD. PHILADEPHIA , PA 19103		02/18/2016	\$5,000.00

TOTAL CONTRIBUTIONS (other than adjustments, loans, and interest)	\$5,000.00
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Contribution Adjustments	\$0.00
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Loans Received	\$0.00
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Interest Received This Reporting Period	\$0.00
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TOTAL RECEIPTS	\$5,000.00
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Disbursements

Expenditures, Unitemized

Purpose	Amount
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BANK FEES

\$84.34

Expenditures, Itemized

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
KELSEY FOR CONGRESS 1661 AARON BRENNER DR MEMPHIS , TN 38120		CONTRIBUTION				02/26/2016	\$1,000.00
STANDARD RESTUARANT 167 8TH AVE N NASHVILLE , TN 37203		CATERING				03/24/2016	\$503.68

Loan Payments

\$0.00

Obligation Payments

\$0.00

TOTAL EXPENDITURES

\$1,588.02

(other than adjustments)

Expenditures, Adjustments

\$0.00

TOTAL DISBURSEMENTS

\$1,588.02

Ending Balance

ENDING BALANCE

\$31,976.92

Outstanding Loans

TOTAL OUTSTANDING LOAN BALANCE

\$0.00

In-Kind Contributions

In-Kind Contributions are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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TOTAL IN-KIND CONTRIBUTIONS	\$0.00
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Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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Obligations, Outstanding from Previous Reports	\$0.00
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TOTAL OBLIGATIONS OUTSTANDING	\$0.00
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Beginning Balance

Beginning Balance **\$31,976.92**

Receipts

Monetary Contributions, Unitemized **\$0.00**

Monetary Contributions, Itemized

Contributor	C/P	Date	Amount
CATALANO , STEVE 188 AYERS RD HARVARD , MA 01451 OWNER DUNKIN DONUTS		04/01/2016	\$4,600.00
VULCANO , DAVID 9413 LAKE SHORE DR BRENTWOOD , TN 37027 SOCIAL WORKER VULCANO FAMILY FOUNDATION		04/05/2016	\$2,000.00

TOTAL CONTRIBUTIONS **\$6,600.00**
 (other than adjustments, loans, and interest)

Contribution Adjustments **\$0.00**

Loans Received **\$0.00**

Interest Received This Reporting Period **\$0.00**

TOTAL RECEIPTS **\$6,600.00**

Disbursements

Expenditures, Unitemized

\$0.00

Expenditures, Itemized

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
CITIZENS FOR EQUAL JUSTICE OF NASHVILLE 750 OLD HICKORY BLVD BRENTWOOD , TN 37027		CONTRIBUTION				04/11/2016	\$10,000.00
STANDARD RESTUARANT 167 8TH AVE N NASHVILLE , TN 37203		CATERING				05/04/2016	\$784.71

Loan Payments

\$0.00

Obligation Payments

\$0.00

TOTAL EXPENDITURES**\$10,784.71***(other than adjustments)*

Expenditures, Adjustments

\$0.00

TOTAL DISBURSEMENTS**\$10,784.71**

Ending Balance

ENDING BALANCE**\$27,792.21**

Outstanding Loans

TOTAL OUTSTANDING LOAN BALANCE

\$0.00

In-Kind Contributions*In-Kind Contributions are not included in the report ending balance.*

Unitemized	\$0.00
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Itemized	\$0.00
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TOTAL IN-KIND CONTRIBUTIONS	\$0.00
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Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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Obligations, Outstanding from Previous Reports	\$0.00
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TOTAL OBLIGATIONS OUTSTANDING	\$0.00
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Beginning Balance

Beginning Balance \$27,792.21

Receipts

Monetary Contributions, Unitemized \$0.00

Monetary Contributions, Itemized

Contributor	C/P	Date	Amount
KELSEY , BRIAN 1661 AARON BRENNER DRIVE, SUITE 300 MEMPHIS , TN 38120	C	07/11/2016	\$106,341.66

TOTAL CONTRIBUTIONS **\$106,341.66**
 (other than adjustments, loans, and interest)

Contribution Adjustments \$0.00

Loans Received \$0.00

Interest Received This Reporting Period \$0.00

TOTAL RECEIPTS **\$106,341.66**

Disbursements

Expenditures, Unitemized \$0.00

Expenditures, Itemized

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
AMERICAN CONSERVATIVE UNION 1331 H. ST. NW WASHINGTON , DC 20005		CONTRIBUTION				07/15/2016	\$30,000.00
CITIZENS FOR ETHICS IN GOV'T 30 BURTON HILLS BLVD NASHVILLE , TN 37215		CONTRIBUTION				07/20/2016	\$7,000.00
CITIZENS FOR ETHICS IN GOV'T 30 BURTON HILLS BLVD NASHVILLE , TN 37215		CONTRIBUTION				07/15/2016	\$30,000.00
CITIZENS FOR ETHICS IN GOV'T 30 BURTON HILLS BLVD NASHVILLE , TN 37215		CONTRIBUTION				07/13/2016	\$60,000.00

Loan Payments \$0.00

Obligation Payments \$0.00

TOTAL EXPENDITURES **\$127,000.00**
(other than adjustments)

Expenditures, Adjustments

Vendor	C/P	Purpose	In-Kind	Independent	Date	Amount
CITIZENS FOR ETHICS IN GOV'T 30 BURTON HILLS BLVD NASHVILLE , TN 37215		CONTRIBUTION			07/13/2016	[\$60,000.00]

TOTAL DISBURSEMENTS **\$67,000.00**

Ending Balance

ENDING BALANCE **\$67,133.87**

Outstanding Loans

TOTAL OUTSTANDING LOAN BALANCE	\$0.00
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In-Kind Contributions

In-Kind Contributions are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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TOTAL IN-KIND CONTRIBUTIONS	\$0.00
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Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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Obligations, Outstanding from Previous Reports	\$0.00
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TOTAL OBLIGATIONS OUTSTANDING	\$0.00
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Beginning Balance

Beginning Balance	\$67,133.87
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Receipts

Monetary Contributions, Unitemized	\$0.00
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Monetary Contributions, Itemized	\$0.00
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TOTAL CONTRIBUTIONS (other than adjustments, loans, and interest)	\$0.00
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Contribution Adjustments	\$0.00
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Loans Received	\$0.00
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Interest Received This Reporting Period	\$0.00
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TOTAL RECEIPTS	\$0.00
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Disbursements

Expenditures, Unitemized	\$0.00
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Expenditures, Itemized	\$0.00
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Loan Payments	\$0.00
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Obligation Payments	\$0.00
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TOTAL EXPENDITURES (other than adjustments)	\$0.00
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Expenditures, Adjustments	\$0.00
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TOTAL DISBURSEMENTS	\$0.00
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Ending Balance

ENDING BALANCE	\$67,133.87
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Outstanding Loans

TOTAL OUTSTANDING LOAN BALANCE	\$0.00
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In-Kind Contributions

In-Kind Contributions are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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TOTAL IN-KIND CONTRIBUTIONS	\$0.00
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Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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Obligations, Outstanding from Previous Reports

\$0.00

TOTAL OBLIGATIONS OUTSTANDING

\$0.00

Beginning Balance

Beginning Balance	\$67,133.87
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Receipts

Monetary Contributions, Unitemized	\$0.00
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Monetary Contributions, Itemized	\$0.00
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TOTAL CONTRIBUTIONS (other than adjustments, loans, and interest)	\$0.00
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Contribution Adjustments	\$0.00
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Loans Received	\$0.00
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Interest Received This Reporting Period	\$0.00
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TOTAL RECEIPTS	\$0.00
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Disbursements

Expenditures, Unitemized	\$0.00
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Expenditures, Itemized

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
MCCORMICK , GERALD PO BOX 1087 CHATTANOOGA , TN 37401	C	CONTRIBUTION				10/24/2016	\$3,000.00

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
STANDARD RESTUARANT 167 8TH AVE N NASHVILLE , TN 37203		CATERING				10/24/2016	\$565.85
Loan Payments							\$0.00
Obligation Payments							\$0.00
TOTAL EXPENDITURES (other than adjustments)							\$3,565.85
Expenditures, Adjustments							\$0.00
TOTAL DISBURSEMENTS							\$3,565.85
Ending Balance							
ENDING BALANCE							\$63,568.02
Outstanding Loans							
TOTAL OUTSTANDING LOAN BALANCE							\$0.00
In-Kind Contributions <i>In-Kind Contributions are not included in the report ending balance.</i>							
Unitemized							\$0.00
Itemized							\$0.00

TOTAL IN-KIND CONTRIBUTIONS

\$0.00

Obligations

Obligations are not included in the report ending balance.

Unitemized

\$0.00

Itemized

\$0.00

Obligations, Outstanding from Previous Reports

\$0.00

TOTAL OBLIGATIONS OUTSTANDING

\$0.00

Beginning Balance

Beginning Balance	\$63,568.02
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Receipts

Monetary Contributions, Unitemized	\$0.00
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Monetary Contributions, Itemized	\$0.00
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TOTAL CONTRIBUTIONS	\$0.00
(other than adjustments, loans, and interest)	

Contribution Adjustments	\$0.00
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Loans Received	\$0.00
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Interest Received This Reporting Period	\$0.00
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TOTAL RECEIPTS	\$0.00
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Disbursements

Expenditures, Unitemized	\$0.00
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Expenditures, Itemized

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
CAS-PAC 3144 NATOMA CIRCLE THOMPSON STATION , TN 37179	P	CONTRIBUTION				11/30/2016	\$5,000.00

Vendor	C/P	Purpose	In-Kind	Independent	S/O	Date	Amount
STANDARD RESTUARANT 167 8TH AVE N NASHVILLE , TN 37203		CATERING				11/30/2016	\$1,090.38
Loan Payments							\$0.00
Obligation Payments							\$0.00
TOTAL EXPENDITURES (other than adjustments)							\$6,090.38
Expenditures, Adjustments							\$0.00
TOTAL DISBURSEMENTS							\$6,090.38
Ending Balance							
ENDING BALANCE							\$57,477.64
Outstanding Loans							
TOTAL OUTSTANDING LOAN BALANCE							\$0.00
In-Kind Contributions							
<i>In-Kind Contributions are not included in the report ending balance.</i>							
Unitemized							\$0.00
Itemized							\$0.00
TOTAL IN-KIND CONTRIBUTIONS							\$0.00

Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
Itemized	\$0.00
Obligations, Outstanding from Previous Reports	\$0.00
TOTAL OBLIGATIONS OUTSTANDING	\$0.00

Exhibit E

Beginning Balance

Beginning Balance	\$153,315.26
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Receipts

Monetary Contributions, Unitemized	\$5.00
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Monetary Contributions, Itemized	\$0.00
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TOTAL CONTRIBUTIONS (other than adjustments, loans, and interest)	\$5.00
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Contribution Adjustments	\$0.00
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Loans Received	\$0.00
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Interest Received This Reporting Period	\$0.00
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TOTAL RECEIPTS	\$5.00
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Disbursements

Expenditures, Unitemized

Purpose	Amount
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BANK FEES	\$5.00
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FOOD / BEVERAGE	\$15.01
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POSTAGE	\$72.00
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SERVICE FEES	\$0.33
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Purpose**Amount**

WEBSITE

\$36.34

Expenditures, Itemized

Vendor	C/P	Purpose	Date	Amount
DICKERSON , STEVEN P.O. BOX 120931 NASHVILLE , TN 37212	C	DONATIONS	04/27/2016	\$3,000.00
MADISON COUNTY REPUBLICAN PARTY PO BOX 10274 JACKSON , TN 38308		REAGAN DAY DINNER	02/09/2016	\$500.00
MARCO RUBIO FOR PRESIDENT PO BOX 558701 MIAMI , FL 33255		DONATIONS	01/19/2016	\$1,000.00
MORTON , RICHARD 177 MAGNOLIA DRIVE MEMPHIS , TN 38117	C	DONATIONS	02/09/2016	\$150.00
PACILLI , EMMA 6064 BRADFORD HILLS DR NASHVILLE , TN 37211		CAMPAIGN WORKERS	01/20/2016	\$500.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	06/28/2016	\$2,600.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	04/27/2016	\$7,000.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	04/27/2016	\$15,000.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	04/25/2016	\$3,000.00
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	02/16/2016	\$16,649.92
RED STATE PAC 1661 AARON BRENNER DRIVE, STE 300 MEMPHIS , TN 38120	P	DONATIONS	01/18/2016	\$1,000.00
WATKINS UIBERALL PLLC 1661 AARON BRENNER DR STE 300 MEMPHIS , TN 38120		ACCOUNTING	02/18/2016	\$350.00

Loan Payments

\$0.00

Obligation Payments

\$0.00

TOTAL EXPENDITURES (other than adjustments)	\$50,878.60
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Expenditures, Adjustments	\$0.00
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TOTAL DISBURSEMENTS	\$50,878.60
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Ending Balance

ENDING BALANCE	\$102,441.66
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Outstanding Loans

TOTAL OUTSTANDING LOAN BALANCE	\$0.00
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In-Kind Contributions

In-Kind Contributions are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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TOTAL IN-KIND CONTRIBUTIONS	\$0.00
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Obligations

Obligations are not included in the report ending balance.

Unitemized	\$0.00
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Itemized	\$0.00
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Obligations, Outstanding from Previous Reports

\$0.00

TOTAL OBLIGATIONS OUTSTANDING

\$0.00