

September 25, 2020

Via Electronic Mail Only
cela@fec.gov

Attn: Christal Dennis, Paralegal

Mr. Jeff S. Jordan
Federal Election Commission
Assistant General Counsel
Complaints Examination & Legal Administration

Re: MUR7791- Response of First Capital PAC and Lisa Stone, in her official capacity as Treasurer

Dear Mr. Jordan:

This is in response to your letter of September 11, 2020 regarding the complaint filed to matter MUR7791. Following is a concise Statement of Facts regarding the sequence of contributions to the Patriots for Perry, for which I serve as Treasurer.

Statement of facts and sequence of events:

1. Contribution 1: KOCHPAC Check # 13932 for \$5000, dated 11/19/19, payable to Patriots for Perry was received by Patriots for Perry on 11/25/19 and designated to the Primary election cycle 2020. This contribution was reported correctly.
2. Contribution 2: KOCHPAC Check #13980 for \$5000, dated 12/9/19, payable to First Capital PAC was received on 12/20/19. This was accidentally and inadvertently deposited into the Patriots for Perry account on 12/20/19. Still believing that the check was properly deposited, the Treasurer re-designated the check to the General 2020 cycle to correct what the Treasurer believed was an excess contribution.
3. Contribution 3: KOCHPAC Check # 14233, dated 6/22/20, payable to Patriots for Perry, was received on 6/30/20 and designated correctly to the General 2020 cycle.
4. Contribution 4: KOCHPAC Check #14271 dated 6/22/20, payable to First Capital PAC was received 6/30/20, the same time as Check # 14233, the receipt of Contribution 3. It was at this time that the Treasurer realized that Check #13980 was made payable to First Capital PAC in the deposit on Contribution 2.
5. The Treasurer took the following actions upon discovering the mistaken deposit:

- a. Treasurer did call and talk to her analyst at the FEC and explained the error. The Treasurer also explained that the First Capital PAC contribution (Contribution 2) should have been for 2019 and not 2020.
 - b. The Treasurer transferred the First Capital PAC \$5,000 contribution (Check #2499) from the Patriots for Perry account to the First Capital PAC account on 6.30.20 and reported the transfer on the 2Q reports. The Treasurer included on the transfer a Memo line item the following notation: "Transfer of KOCH PAC check from 2019. Check was inadvertently deposited into the candidate committee bank account."
 - c. KOCH PAC property reported a June 2020 contribution for the G2020 election at this time. The KOCHPAC records are correct.
6. The Treasurer has taken the following additional corrective action:
- a. On 9/17/20 First Capital PAC refunded to KOCHPAC \$5000 (Check # 135) that had been designated to the General 2019 cycle.

Discussion:

The problem was an innocent clerical oversight that the Treasurer attempted to correct immediately upon discovery. The Treasurer made her best and sincere efforts to find out what should have been done. The Treasurer consulted with her analyst at the FEC in an effort to resolve what was clearly a clerical mistake. There was no attempt to hide or disguise the deposit. Transferring the contribution into the correct account appeared to be the proper solution. The transfer was noted as such. All of these actions by the Treasurer were at her own volition and were not in any way in response to the within complaint. The refund made to KOCHPAC on 9/14/20 further demonstrates Treasurer's continuing effort to correct the mistake as it now appears the refund may have been the best possible solution.

Based on the foregoing, I respectfully request that the complaint be dismissed.

If you have any questions or need additional information, please feel free contact me. Thank you for your attention to this matter.

Respectfully submitted,



Lisa K. Stone
Treasurer, First Capital PAC
Lbstone111@gmail.com
717.329.8585

13932

INTRUST Bank

INTRUST Bank, NA
Wichita, KS 67201

40-2/1011

19



KOCH INDUSTRIES, INC.
POLITICAL ACTION COMMITTEE
4111 EAST 37TH STREET NORTH
WICHITA, KS 67220

Date: 11/19/2019

PAY TO THE
ORDER OF

Patriots For Perry

\$ 5,000.00

Five thousand and xx/ 100 *****

DOLLAR

MEMO

2020 Primary



Lacy Tompkins
Steph Clarke
AUTHORIZED SIGNATURE

KOCHPAC - KOCH INDUSTRIES, INC. POLITICAL ACTION COMMITTEE

13932

Date: 11/19/2019 Amount: \$5,000.00

Pay To: Patriots For Perry

Memo: 2020 Primary

Stub Note: Patriots For Perry
Rep. Scott Perry (PA)
Congressional District 10

1

KOCHPAC
THE POLITICAL ACTION COMMITTEE OF KOCH INDUSTRIES, INC. &
AFFILIATED COMPANIES

November 19, 2019

Patriots For Perry
PO Box 633
New Cumberland, PA 17070

Dear Treasurer,

On behalf of Koch Industries, Inc. Political Action Committee (KOCHPAC), enclosed is a \$5000 contribution for the 2020 Primary election.

Based in Wichita, Kan., Koch Industries, Inc. is one of the largest private companies in America according to Forbes magazine. It owns a diverse group of companies involved in refining, chemicals and biofuels; process and pollution control equipment and technologies; minerals; fertilizers; polymers and fibers; commodity trading; forest and consumer products; electronic components; energy and ranching. Koch companies have a presence in nearly 60 countries and about 100,000 employees.

Since 2003, Koch companies have invested about \$60 billion in acquisitions and other capital expenditures. Koch companies directly employ nearly 50,000 people in 43 states and the District of Columbia.

For additional information, please contact:

Lacye Tennille
KOCHPAC Treasurer
601 New Jersey Ave, NW
Suite 750
Washington, DC 20001-2021
(202) 879-8541
kochpac@kochind.com

Enclosure: check # 13932

4111 E 37th St N
Wichita, KS 67220

kochpac@kochind.com
www.kochpac.com

KOCH.

FLINT HILLS
resources

INVISTA

GP Georgia-Pacific

molex

GUARDIAN
INDUSTRIES

2

13980

KOCHPAC - KOCH INDUSTRIES, INC.

POLITICAL ACTION COMMITTEE
4111 EAST 37TH STREET NORTH
WICHITA, KS 67220

INTRUST Bank

INTRUST Bank, NA
Wichita, KS 67201

40-2/1011



19

Date: 12/09/2019

PAY TO THE
ORDER OF

First Capital PAC

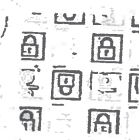
\$ 5,000.00

Five thousand and xx / 100 *****

DOLLARS

MEMO

2019 Contribution



Laura Bernick
Steph O'Leary
AUTHORIZED SIGNATURE

Security features. Details on back.

14233

KOCHPAC - KOCH INDUSTRIES, INC.

POLITICAL ACTION COMMITTEE
4111 EAST 37TH STREET NORTH
WICHITA, KS 67220

INTRUST Bank

INTRUST Bank, NA
Wichita, KS 67201
40-2/1011

19



Date: 06/22/2020

PAY TO THE
ORDER OF

Patriots For Perry

\$ 5,000.00

Five thousand and xx / 100 *****

DOLLARS

MEMO

2020 General



Lacey Tennette
Steph Blubaugh
AUTHORIZED SIGNATURE

3

14271

KOCHPAC - KOCH INDUSTRIES, INC.

POLITICAL ACTION COMMITTEE
4111 EAST 37TH STREET NORTH
WICHITA, KS 67220

INTRUST Bank

INTRUST Bank, NA
Wichita, KS 67201
40-2/1011

19



Date: 06/22/2020

PAY TO THE
ORDER OF

First Capital PAC

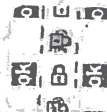
\$ 5,000.00

Five thousand and xx / 100 *****

DOLLARS

MEMO

2020 Contribution



Lacey Tennette
Steph Blubaugh
AUTHORIZED SIGNATURE

Security features. Details on back

4

13932

INTRUST Bank

INTRUST Bank, NA
Wichita, KS 67201

40-2/1011

19



KOCH INDUSTRIES, INC.
POLITICAL ACTION COMMITTEE
4111 EAST 37TH STREET NORTH
WICHITA, KS 67220

Date: 11/19/2019

PAY TO THE
ORDER OF

Patriots For Perry

\$ 5,000.00

Five thousand and xx / 100 *****

DOLLAR

MEMO

2020 Primary



Lauren Tompkins
Steph Olschke
AUTHORIZED SIGNATURE

KOCHPAC - KOCH INDUSTRIES, INC. POLITICAL ACTION COMMITTEE

13932

Date: 11/19/2019 Amount: \$5,000.00

Pay To: Patriots For Perry

Memo: 2020 Primary

Stub Note: Patriots For Perry
Rep. Scott Perry (PA)
Congressional District 10

1

Image# 202007159249913863

SCHEDULE B (FEC Form 3) ITEMIZED DISBURSEMENTS

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 205 OF 238

<input type="checkbox"/> 17 20a	<input type="checkbox"/> 18 20b	<input type="checkbox"/> 19a 20c	<input checked="" type="checkbox"/> 19b 21
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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
Patriots for Perry

Full Name (Last, First, Middle Initial)

A. FIRST CAPITAL PAC

Mailing Address PO BOX 82

City NEW CUMBERLAND State PA Zip Code 17070

Purpose of Disbursement
TRANSFER OF KOCH PAC CHECK FROM 2019

Candidate Name

Office Sought: House Senate President
Disbursement For: 2020
 Primary General
 Other (specify) ▼

State: District:

Date of Disbursement

M M / D D / Y Y Y Y Y
06 / 30 / 2020

FEC Identification Number

C C00528075

Amount of Each Disbursement this Period

5000.00

Transaction ID : SB21.13530

Memo Item CHECK WAS INADVERTENTLY DEPOSITED INTO THE CANDIDATE

Full Name (Last, First, Middle Initial)

B.

Mailing Address

City State Zip Code

Purpose of Disbursement

Candidate Name

Office Sought: House Senate President
Disbursement For:
 Primary General
 Other (specify) ▼

State: District:

Date of Disbursement

M M / D D / Y Y Y Y Y

FEC Identification Number

C

Amount of Each Disbursement this Period

Memo Item

Full Name (Last, First, Middle Initial)

C.

Mailing Address

City State Zip Code

Purpose of Disbursement

Candidate Name

Office Sought: House Senate President
Disbursement For:
 Primary General
 Other (specify) ▼

State: District:

Date of Disbursement

M M / D D / Y Y Y Y Y

FEC Identification Number

C

Amount of Each Disbursement this Period

Memo Item

SUBTOTAL of Disbursements This Page (optional).....▶ 0.00

TOTAL This Period (last page this line number only).....▶ 0.00

2499

PATRIOTS FOR PERRY
 PO BOX 633
 NEW CUMBERLAND, PA 17070

MEMBERS 1ST FEDERAL CREDIT UNION
 MECHANICSBURG, PA 17055
 60-822472313

06/30/2020

PAY TO THE ORDER OF **1st Capital PAC**

\$ **5,000.00

Five thousand and 00/100*****

DOLLARS

1st Capital PAC

MEMO

[Signature]
 AUTHORIZED SIGNATURE

PATRIOTS FOR PERRY

06/30/2020

1st Capital PAC

2499

Error in 2019 Deposit - KOCH PAC donor check was

5,000.00

*7/15/2020
 Traded R. Kelly at FEE
 About how to correct this
 error.*

Members 1st

5,000.00

FIRST CAPITAL PAC 08-12
PO BOX 196
HARRISBURG, PA 17108

135
60-184/313
12

9/17/2020
Date

Pay to the Order of ROCH PAC \$ 5000
Five thousand dollars $\frac{00}{100}$ Dollars

 Security Features Details on Back

METRO BANK

888.937.0004
mymetrobank.com

For Refund

[Handwritten Signature]

MP

Hint

(OFF) (OFF) (OFF)

1st Bill