



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 23, 2023

MR. PAUL MERSKI, TREASURER
INDEPENDENT COMMUNITY BANKERS OF
AMERICA POLITICAL ACTION COMMITTEE
1615 L STREET, NW SUITE 900
WASHINGTON, DC 20036

Response Due Date
02/27/2023

IDENTIFICATION NUMBER: C00032698

REFERENCE: 12 DAY PRE-GENERAL REPORT (10/01/2022 - 10/19/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule B supporting Line 29 of your report discloses disbursements for "Unauthorized disbursement see memo text" totaling \$39,500. These transactions appear to be related to an apparent unauthorized disbursement of Committee funds. Although the Commission may take further legal action regarding this apparent improper use of Committee funds, any further clarifying information that you can provide will be taken into consideration. (11 CFR § 102.9, 102.15, and 104.3)

The Commission notes the memo text attached to your report stating, "The Independent Community Bankers Political Action Committee (ICBPAC) and its depository, Blue Ridge Bank, were subjected to a fraudulent check scheme during the reporting period by unknown persons not affiliated with ICBPAC. The unauthorized disbursements are disclosed on Schedule B, Line 29. During the 12 Day Pre-General reporting period, the Committee believes that an unknown individual not affiliated with the Committee created, forged, and cashed five fraudulent PAC checks. Two other checks were identified as fraudulent before funds were withdrawn. Reports have been filed with the police and United States Postal Inspector Service. ICBPAC has closed the bank account subjected to fraud and opened a new account. The new account will utilize positive pay where the payee, check number, date, amount and description must match the check as issued by ICBPAC before funds will be disbursed from ICBPAC. ICBPAC is in contact with Blue Ridge Bank about the return of the funds and will disclose such

INDEPENDENT COMMUNITY BANKERS OF AMERICA POLITICAL ACTION
COMMITTEE

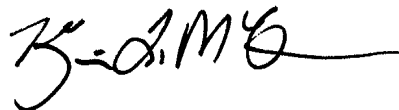
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funds on the appropriate FEC report." Although the Commission may take further legal action concerning this matter, your clarification and any additional clarification you may have will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1173.

Sincerely,

A handwritten signature in black ink, appearing to read "K. McQueen", with a long horizontal flourish extending to the right.

Kevin McQueen

Sr. Campaign Finance & Reviewing Analyst