



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 17, 2022

MR. JASON D. BOLES, TREASURER  
TEAM HERSCHEL, INC.  
P.O. BOX 501707  
ATLANTA, GA 31150

**Response Due Date**  
**04/21/2022**

IDENTIFICATION NUMBER: C00787853

REFERENCE: YEAR-END REPORT (10/01/2021 - 12/31/2021)

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 6 item(s):

1. Schedule A of your report discloses one or more contributions that appear to be from a corporation(s) and/or labor organization(s) (see attached). 52 U.S.C. § 30118(a) (formerly 2 U.S.C. § 441b(a)) and 11 CFR § 103.3(b) prohibit the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations. The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(1) and (2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund is made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the

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prohibited amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. A partnership is included in the definition of "person" under 52 U.S.C. § 30101(11) (formerly 2 U.S.C. §431(11)). An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the

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committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

**3.** Schedule A of your report discloses one or more contributions that appear to be from a limited liability corporation(s) (LLC) (see attached). The Commission notes your additional explanation regarding the committee's corrective action taken for all of these contributions. 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that are publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the

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report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

**4.** Schedule B supporting Line 20(a) discloses a refund of a contribution received from David Johnson. However, it appears that your committee did not report the receipt of the original contribution or disclosed receipt after the date of refund. Please amend the appropriate report(s) to disclose the original contribution or provide clarifying information. (52 U.S.C. § 30104(b) (formerly 2 U.S.C. § 434(b)) and 11 CFR § 104.3(a) & (b))

**5.** Schedule A and B of your report discloses in-kind contributions to your committee. Please be advised that the value of in-kind contributions must be added to the receipts and disbursements total in order to avoid either inflating or deflating the cash on hand amount, and itemized on the appropriate Schedules A and B. (11 CFR § 104.13(a))

When an individual other than the candidate makes an in-kind contribution, please note that proper format: (1) disclose the receipt on Schedule A (2) disclose a duplicate transaction on Schedule B showing the individual as the payee (not the vendor). Please amend your report to itemize the in-kind contributions in the above described format.

**6.** The Commission notes the redesignation or reattribution of several contributions. Please amend your report to disclose the proper format for redesignations or reattributions. The first entry must either disclose the information for the contribution as it was originally received, or, as a memo entry, the information for the contribution as it was originally reported. The second entry must disclose, as a memo entry, the amount of the redesignation or reattribution as a negative amount. The third entry must disclose, as a memo entry, the information on the contribution as it was redesignated or reattributed, including the date the redesignation or reattribution was made and, in the case of a redesignation, the election for which the contribution was redesignated. (11 CFR § 104.8(d)(2), (3), and (4)) Please refer to the Campaign Guide for Congressional Candidates and Committees for further guidance on how to report redesignations and reattributions.

- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, contributions from political

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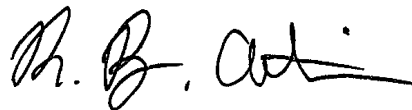
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committees registered with the Commission should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page. Please refer to the Form 3 instructions for each line when determining the proper categorization(s) for your next filing. (11 CFR § 104.3(a) and (b))

**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](http://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](http://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) 694-1196.

Sincerely,

A handwritten signature in black ink, appearing to read "B. B. Austin".

Bradley Austin

Sr. Campaign Finance & Reviewing Analyst

**Apparent Excessive, Prohibited, and Impermissible Contributions**  
**Tean Herschel, Inc. (C00787853)**

**Apparent Excessive Contributions from Individuals**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Aviation Development Group, LLC	10/18/21	\$23,200.00	P2022
D & D Inv. Assoc., LLLP	10/22/21	\$5,800.00	P2022
Dubose, Eileen	11/4/21	-\$5,800.00	P2022
Dubose, Eileen	11/4/21	\$11,600.00	P2022
Edward J Robson Family Trust	12/16/21	\$5,800.00	P2022
Harley's Endeavors, LLC	11/15/21	\$5,800.00	P2022
HUD Properties LLC	10/28/21	\$5,800.00	P2022
Jackson, Kev	9/29/21	\$1,000.00	P2022
Jackson, Kev	9/29/21	\$1,000.00	P2022
Jackson, Kevin	11/26/21	-\$2,900.00	P2022
Jackson, Kevin	11/26/21	\$5,800.00	P2022
Mitchell, Rees T.	10/29/21	\$2,500.00	P2022
Mitchell, Tim	11/10/21	\$1,000.00	P2022
Morse, Renee	9/22/21	\$900.00	P2022
Morse, Renee	10/22/21	\$900.00	P2022
Morse, Renee	11/22/21	\$900.00	P2022
Morse, Renee	12/22/21	\$900.00	P2022
Peck Jr, John	11/1/21	\$2,900.00	P2022
Peck Jr, John	12/9/21	\$2,900.00	P2022
Roberts, Gary	8/26/21	\$100.00	P2022
Roberts, Gary	8/27/21	\$100.00	P2022
Roberts, Gary	8/27/21	\$50.00	P2022
Roberts, Gary	8/31/21	\$100.00	P2022
Roberts, Gary	9/3/21	\$50.00	P2022
Roberts, Gary	9/7/21	\$100.00	P2022
Roberts, Gary	9/8/21	\$100.00	P2022
Roberts, Gary	9/10/21	\$34.00	P2022
Roberts, Gary	9/14/21	\$100.00	P2022

**Apparent Excessive, Prohibited, and Impermissible Contributions**  
**Tean Herschel, Inc. (C00787853)**

Roberts, Gary	9/16/21	\$100.00	P2022
Roberts, Gary	9/18/21	\$100.00	P2022
Roberts, Gary	9/21/21	\$50.00	P2022
Roberts, Gary	9/28/21	\$50.00	P2022
Roberts, Gary	9/29/21	\$50.00	P2022
Roberts, Gary	10/4/21	\$100.00	P2022
Roberts, Gary	10/5/21	\$100.00	P2022
Roberts, Gary	10/7/21	\$100.00	P2022
Roberts, Gary	10/8/21	\$25.00	P2022
Roberts, Gary	10/10/21	\$34.00	P2022
Roberts, Gary	10/11/21	\$100.00	P2022
Roberts, Gary	10/16/21	\$100.00	P2022
Roberts, Gary	10/18/21	\$100.00	P2022
Roberts, Gary	10/19/21	\$100.00	P2022
Roberts, Gary	10/23/21	\$100.00	P2022
Roberts, Gary	10/25/21	\$100.00	P2022
Roberts, Gary	10/28/21	\$100.00	P2022
Roberts, Gary	11/1/21	\$100.00	P2022
Roberts, Gary	11/10/21	\$34.00	P2022
Roberts, Gary	11/11/21	\$100.00	P2022
Roberts, Gary	11/18/21	\$100.00	P2022
Roberts, Gary	11/19/21	\$100.00	P2022
Roberts, Gary	11/23/21	\$100.00	P2022
Roberts, Gary	12/3/21	\$100.00	P2022
Roberts, Gary	12/10/21	\$50.00	P2022
Roberts, Gary	12/10/21	\$34.00	P2022
Roberts, Gary	12/14/21	\$50.00	P2022
Roberts, Gary	12/29/21	\$100.00	P2022
Roberts, Gary	12/31/21	\$100.00	P2022
Scott, Steven	9/24/21	-\$2,900.00	P2022
Scott, Steven	9/24/21	\$5,800.00	P2022
Scott, Steven	11/22/21	\$250.00	P2022
Southwood Development Co. LLC	11/23/21	\$5,800.00	P2022
Tooker Family Trust	12/16/21	\$5,000.00	P2022
Walker, Christopher D. Mr.	9/1/21	\$5,000.00	P2022
Walker, Christopher D. Mr.	9/1/21	-\$2,100.00	P2022
Walker, Chris	11/23/21	-\$800.00	P2022

**Apparent Excessive, Prohibited, and Impermissible Contributions  
Tean Herschel, Inc. (C00787853)**

Walker, Chris	11/23/21	\$6,600.00	P2022
Walker, Chris	11/23/21	-\$2,900.00	P2022
Walker, Christopher D. Mr.	9/1/21	\$2,100.00	G2022
Walker, Chris	11/23/21	\$2,900.00	G2022

**Contributions from Possible Prohibited Entities**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>
Aviation, Raintree	10/26/21	\$100.00	P2022
Aviation, Raintree	11/26/21	\$100.00	P2022
Aviation, Raintree	12/26/21	\$100.00	P2022
J. L. Williamson Law Group LLC	10/28/21	\$1,200.00	P2022
J. L. Williamson Law Group LLC,	12/31/21	-\$1,200.00	P2022
Mann, Action Insulation	10/4/21	\$100.00	P2022
Mann, Action Insulation	10/31/21	\$100.00	P2022
Mann, Action Insulation	11/4/21	\$100.00	P2022
Mann, Action Insulation	12/2/21	\$50.00	P2022
Mann, Action Insulation	12/4/21	\$100.00	P2022
Palmetto Development Services, Inc.	10/28/21	\$2,500.00	P2022
Palmetto Development Services, Inc.,	12/31/21	-\$2,500.00	P2022