



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 14, 2021

Phil Willard, Treasurer  
Keep America America Action Fund  
601 New Jersey Ave NW  
Washington, DC 20001

**Response Due Date  
June 18, 2021**

Re: ADR 1021 (RAD 21L-25)  
Keep America America Action Fund and Phil Willard, Treasurer (C00762658)

Dear Phil Willard:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Reports Analysis Division (RAD) was based on a review of reports filed by Keep America America Action Fund which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

An email was sent to your office on May 21, 2021, regarding an opportunity to participate in the ADR program at the Commission to resolve this matter. To date, the Commission has received no response. The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with Keep America America Action Fund and Phil Willard, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

RAD referred Keep America America Action Fund and Phil Willard, Treasurer (Respondents or the Committee), for failing to disclose all financial activity on their 2020

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE  
1050 FIRST STREET N.E., WASHINGTON, DC 20463  
TELEPHONE:  
EMAIL: KROCHE@FEC.GOV

12-Day Pre-Runoff Report, originally filed on December 24, 2020. On February 4, 2021, the Committee filed an amended report disclosing \$100,000 in additional receipts.

The Committee filed a Form 99 (Miscellaneous Electronic Submission) on April 14, 2021, stating that a \$100,000 wire transfer was omitted from the original report due to an oversight. When the Committee reconciled bank statements with FEC reports while preparing the next report the discrepancy was discovered, and the 12-Day Pre-Runoff Report was amended.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively by June 18, 2021, will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 1021**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

A handwritten signature in black ink, appearing to read 'KJ Roche', with a horizontal line extending from the end of the signature.

Krista J. Roche  
Director  
Alternative Dispute Resolution Office