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**SENSITIVE**

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**MEMORANDUM**

September 10, 2021

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Krista J. Roche *KJR*  
Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement  
ADR 1021 - Keep America America Action Fund and Phil Willard, Treasurer (C00762658)

RESOLUTION TERMS: Certify that a representative of the Committee participated in an FEC training; and pay a civil penalty of \$4,700.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 1021 (RAD 21L-25). The ADR Office received this referral on May 7, 2021.

**SUMMARY:** The Reports Analysis Division (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 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 the wire transfer being received while all staff was out of the office. The Committee states that when it reconciled its original FEC reports with its bank statements, it discovered the discrepancy and filed the Amended 2020 12-Day Pre-Runoff Report. The Committee further states that it implemented new procedures in response to this oversight, including a review of all incoming wire transfers prior to filing reports.

**RECOMMENDATIONS:**

1. Approve the attached Negotiated Settlement of Keep America America Action Fund and Phil Willard, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.