

**22L-20**

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: October 18, 2022

ANALYST: Michael Beckman

- I. COMMITTEE: Defeating Communism PAC  
C00728386  
Robert Phillips III, Treasurer  
555 Metro Place S  
Ste. 525  
Dublin, OH 43017
- II. RELEVANT STATUTE: 52 U.S.C. § 30104 (g)(1)  
11 CFR § 104.4(c)

III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to Timely File 24-Hour Reports)**

Defeating Communism PAC (“the Committee”) failed to timely file four (4) 24-Hour Reports totaling \$32,020.36 to support five (5) independent expenditures disclosed on the 2022 April Quarterly Report, made after the 20<sup>th</sup> day but more than 24 hours before the day of the 2022 Texas Primary Election held on March 1, 2022 (Attachment 1).

On April 15, 2022, the Committee filed the [2022 April Quarterly Report](#) covering the period from February 10, 2022 through March 31, 2022. The report included a [Schedule E](#) (Itemized Independent Expenditures) disclosing ten (10) independent expenditures, totaling \$326,589.01, made in opposition to one (1) Federal candidate.

On May 31, 2022, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the 2022 April Quarterly Report. The RFAI noted that the Committee may have failed to file or timely file one (1) or more of the required 24-Hour Reports of independent expenditures. A chart was included with the RFAI identifying five

(5) independent expenditures, totaling \$32,020.36, for which 24-Hour Reports had not been filed.

On June 22, 2022, the Committee filed one (1) [24-Hour Report](#) to support five (5) independent expenditures, totaling \$32,020.36, disseminated on February 10, 2022, February 15, 2022, February 16, 2022, and February 25, 2022. The independent expenditures included in this report match the independent expenditures questioned as missing on the RFAI referencing the 2022 April Quarterly Report.

On June 28, 2022, the Committee filed an [FEC Form 99](#) (Miscellaneous Electronic Submission) in response to the RFAI referencing the 2022 April Quarterly Report. The Committee stated, in part:

“...in response to the claim of untimely 24-Hour reporting, the Committee has further reviewed the regulations related to an independent expenditure committee. Moving forward, the Committee will continue to file timely reports as required.”

On July 15, 2022, the Reports Analysis Division (RAD) Analyst logged a communication with a representative of the Committee which reflect efforts to help the Committee voluntarily comply with the Act. The Committee confirmed filing a 24-Hour Report on June 22, 2022 and an FEC Form 99 on June 28, 2022 which acknowledged the RFAI referencing the 2022 April Quarterly Report. The Analyst notified the Committee that the matter would be referred to another office at the Commission for further review (Attachment 2). To date, no further communications have been received from the Committee regarding this matter.

Filings and correspondence related to the Committee can be found here: [Defeating Communism PAC](#).

**Defeating Communism PAC (C00728386)****2022 April Quarterly Report****24-Hour Reports Not Timely Filed**

<b>Name of Payee</b>	<b>Date of Dissemination (Schedule E)</b>	<b>Expenditure Amount</b>	<b>Candidate Opposed</b>	<b>Election</b>	<b>24-Hour Report Received</b>
EXECUTIVE PRESS	2/10/2022	<b>\$25,547.00</b> <i>24-Hour Report Required</i>	TAYLOR, NICHOLAS V.	2022 TX Primary (3/1/22)	6/22/2022
EXECUTIVE PRESS	2/15/2022	<b>\$2,381.50</b> <i>24-Hour Report Required</i>	TAYLOR, NICHOLAS V.	2022 TX Primary (3/1/22)	6/22/2022
EXECUTIVE PRESS	2/16/2022	<b>\$1,786.13</b> <i>24-Hour Report Required</i>	TAYLOR, NICHOLAS V.	2022 TX Primary (3/1/22)	6/22/2022
EXECUTIVE PRESS	2/25/2022	<b>\$1,277.35</b> <i>24-Hour Report Required</i>	TAYLOR, NICHOLAS V.	2022 TX Primary (3/1/22)	6/22/2022
EXECUTIVE PRESS	2/25/2022	<b>\$1,028.38</b> <i>24-Hour Report Required</i>	TAYLOR, NICHOLAS V.	2022 TX Primary (3/1/22)	6/22/2022