



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 2022

Robert Phillips III, Treasurer
Defeating Communism PAC
555 Metro Place S.
Ste. 525
Dublin, OH 43017

**Response Due Date
November 23, 2022**

Re: ADR 1090 (RAD 22L-20)
Defeating Communism PAC and Robert Phillips III, Treasurer (C00728386)

Dear Robert Phillips III:

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 Defeating Communism PAC which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

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 Defeating Communism PAC and Robert Phillips III, 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 Defeating Communism PAC and Robert Phillips III, Treasurer (Respondents or the Committee) for failing to timely file four (4) 24-Hour Reports totaling \$32,020.36 to support five (5) independent expenditures disclosed on the 2022

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
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April Quarterly Report. On June 22, 2022, the Committee filed one (1) 24-Hour Report to support these independent expenditures, albeit untimely.

The Committee filed a Form 99 (Miscellaneous Electronic Submission) on June 28, 2022, stating it reviewed the regulations related to independent expenditures and will timely file all reports in the future.

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 within fifteen (15) business days from the date of this letter 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.

This matter has been designated as **ADR 1090**. 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,



Joshua A. Rebollozo
Assistant Director
Alternative Dispute Resolution Office