



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 30, 2014

Thomas J. Gibson, Treasurer
American Iron and Steel Institute PAC
25 Massachusetts Avenue NW #800
Washington, DC 20001

Re: ADR 720 (RAD 14L-16)
American Iron and Steel Institute Political Action Committee and Thomas J. Gibson,
Treasurer

Dear Mr. Gibson:

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 the American Iron and Steel Institute Political Action Committee 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 the American Iron and Steel Institute Political Action Committee and Thomas J. Gibson, 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 concludes 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:

SUMMARY: RAD referred the American Iron and Steel Institute Political Action Committee and Thomas J. Gibson, Treasurer (Respondents or the Committee) for

receiving misdeposited funds totaling \$47,997.87 during the 2012 calendar year and \$21,793.17 during the 2013 calendar year. These funds were originally intended for the Committee's connected organization, the American Iron and Steel Institute, and were not remedied within the permissible timeframes. In total, the Committee did not timely refund or transfer-out misdeposits of \$69,791.04 during the 2011-2012 and 2013-2014 election cycles.

On October 24, 2013, the Committee filed a Miscellaneous Electronic Document (Form 99) in which Respondents contend, among other things, that the misdeposit of funds intended for the connected organization, the American Iron and Steel Institute (AISI), was inadvertent. The identified receipts were the result of errors by an online credit card payment processor engaged by AISI to handle credit card payments. At no point were any of the misdeposited funds used as contributions to a candidate for federal election, nor were any of these funds directed to another federal PAC.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondents would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Participate in ADR form. **Failure to respond affirmatively within fifteen (15) business days of receipt 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, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 720**. 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,

Lynn M. Fraser, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosures: ADR Frequently Asked Questions
Commitment to Participate in ADR
Designation of Representative/Counsel