



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 1, 2012

JOHN J. LLOYD, TREASURER
DEFEND AMERICA PAC
P.O. BOX 2626
TUSCALOOSA, AL 35403

Response Due Date
12/06/2012

IDENTIFICATION NUMBER: C00325993

REFERENCE: AMENDED JUNE MONTHLY REPORT (05/01/2012 - 05/31/2012),
RECEIVED 07/15/2012

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Your Amended Reports disclose a substantial increase in certain categories of receipts and certain categories of disbursements from the amounts disclosed on your original reports (see attached). Please amend your report or provide an explanation to clarify why this additional activity was not provided with your original reports. (11 CFR § 104.3)
2. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request

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the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1177.

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Sincerely,

A handwritten signature in black ink, appearing to read "Brian Jones". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Brian Jones
Campaign Finance Analyst
Reports Analysis Division

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Defend America PAC (C00325993)*Overview of Additional Receipts*

Report Name	Total Additional Receipts	Line Number(s)
2010 April Monthly Report/ Amended 2010 April Monthly Report, received 2/16/11	\$5,179.15	17
2010 July Monthly Report/ Amended 2010 July Monthly Report, received 2/16/11	\$2,579.67	17
2010 August Monthly Report/ Amended 2010 August Monthly Report, received 2/16/11	\$11,494.98	17
2010 October Monthly Report/ Amended 2010 October Monthly Report, received 2/16/11	\$7,597.53	11(c), 17
2010 12 Day Pre-General Report/ Amended 2010 12 Day Pre-General Report, received 2/16/11	\$5,000.00	16
2012 June Monthly Report/ Amended 2012 June Monthly Report, received 7/15/12	\$204,250.00	11(a)(i), 11(c)
Total Additional Receipts	\$236,101.33	

Overview of Additional Disbursements

Report Name	Total Additional Disbursements	Line Number(s)
2010 August Monthly Report/ Amended 2010 August Monthly Report, received 2/16/11	\$970.08	21(b)
2010 October Monthly Report/ Amended 2010 October Monthly Report, received 2/16/11	\$42.52	21(b)
Total Additional Disbursements	\$1,012.60	

Total Increase in Activity on Amended Reports: \$237,113.93

**Excessive, Prohibited, and Impermissible Contributions
Defend America PAC (C00325993)**

Excessive Contributions from Committees

Contributor Name	Date	Amount	Report
Boeing PAC	3/26/12	\$3,994.73	2012 April Monthly
Boeing PAC	5/9/12	\$5,000.00	2012 June Monthly