

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: April 13, 2011

ANALYST: Ashley Carter

- I. COMMITTEE: American Solutions PAC
C00472324
Lisa Lisker, Treasurer
228 S. Washington St., Ste. 115
Alexandria, VA 22314
- II. RELEVANT STATUTE: 2 U.S.C. § 434(b)(2)(A)
11 CFR § 104.3(a)(2)(i)(A)
11 CFR § 110.6(c)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

The American Solutions PAC ("the Committee") amended its 2010 12 Day Pre-General Report to disclose additional receipts totaling \$53,627.00 that were not disclosed on the original 2010 12 Day Pre-General Report (Attachment 2).

On October 21, 2010, the Committee filed the 2010 12 Day Pre-General Report covering the period from October 1, 2010 through October 13, 2010. The original report disclosed \$15,650.00 on Line 11(a)(i) (Itemized Contributions from Individual/Persons Other Than Political Committees) of the Detailed Summary Page (Image 10931745420).

On November 9, 2010, the Committee filed an Amended 2010 12 Day Pre-General Report, which disclosed \$69,227.00 on Line 11(a)(i) of the Detailed Summary Page (Image 10931784190). The Committee attached a memo text to this report which stated in full,

"Due to an issue with the reporting software, contributions raised as earmarks by the American Solutions PAC for other federal committees

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were not accurately disclosed on the original pre-general report filed on 10/21/10. This amendment reflects all earmarks received from 10/1-10/13/10. This was not income for the Committee. Please note that only a small portion of the earmarks were transmitted to the recipient committees during this reporting period. All other transmittals, made within the 10 day requirement, will be reflected on the post-general report" (Image 10931784188).

On January 14, 2011, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2010 12 Day Pre-Primary Report, received November 9, 2010. The RFAI requested clarification regarding the additional receipts totaling \$53,627.00 disclosed on Line 11(a)(i) of the Detailed Summary Page that were not previously disclosed on the Committee's original 2010 12 Day Pre-General Report (Image 11030541059).

On February 22, 2011, the Committee filed a Miscellaneous Electronic Submission (FEC Form 99), which stated in part, "Your letter of January 14, 2011 indicates that the Amended Pre General Report included additional activity not previously reported. As the memo text on the amended report noted, the Committee software would not accurately import and itemize the earmarked entries. Once the issue was resolved, the report was amended" (Image 11930409599).

On March 3, 2011, the Reports Analysis Division ("RAD") Analyst called the Committee's treasurer, Lisa Lisker, and left a message asking Ms. Lisker to call regarding the RFAI the Committee received referencing the Amended 12 Day Pre-General Report, received November 9, 2010 (Attachment 3).

On March 9, 2011, Ms. Lisker called the Analyst. The Analyst explained that the Committee may be referred for further Commission action due to the increase in receipts on the Amended 2010 12 Day Pre-General Report, received November 9, 2010. The Analyst told Ms. Lisker that the Commission received the FEC Form 99 filed on February 22, 2011, and asked if the Committee had any additional information to add to the public record regarding the increase in receipts. Ms. Lisker asked if there was any information she could provide that would prevent the matter from being referred, and the Analyst again stated that she should provide any additional clarifying information not included already on the public record. Ms. Lisker explained that the electronic filing software the Committee uses was unable to properly itemize the earmarked contributions and as soon as the problem was resolved by the software vendor, she amended the report to disclose those receipts. Ms. Lisker told the Analyst that she decided to amend the report with additional receipts, rather than submitting the original report with unitemized earmarked contributions. The Analyst told Ms. Lisker to call her if she had additional questions.

To date, no further communication has been received from the Committee regarding this matter.

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