

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: July 25, 2011

ANALYST: Maureen Benitz

- I. COMMITTEE: Americans for New Leadership  
(C00485821)  
Brent Husson, Treasurer  
P.O. Box 80252  
Las Vegas, NV 89180
- II. RELEVANT STATUTE: 2 U.S.C. §434(g)(2)  
2 U.S.C. §434(b)(4)  
11 C.F.R. §104.4(b)

III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to file 48-Hour Notices)**

Americans for New Leadership ("the Committee") failed to timely file one (1) 48-Hour Notice to support one (1) independent expenditure totaling \$40,000 made up to and including the 20<sup>th</sup> day before the 2010 General Election (Attachment 2).

On April 14, 2011, the Committee filed an Amended 2010 October Quarterly Report covering the period of June 20, 2010 to September 30, 2010 which included a Schedule E (Itemized Independent Expenditures) disclosing ten (10) independent expenditures, totaling \$234,298.53, made in opposition to one (1) federal candidate. The Committee failed to file one (1) 48-Hour Notice for one (1) independent expenditure totaling \$40,000 (Image 11930655120).

On April 22, 2011, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2010 October Quarterly Report, received April 14, 2011. Among other issues, the RFAI stated that the Committee may have failed to file one or more of the required 48-Hour Notices for independent expenditures made in opposition to a federal candidate. A chart was included with the RFAI identifying the

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one (1) independent expenditure, totaling \$40,000, for which the 48-Hour Notice was not filed (Image 11330008321).

On May 26, 2011, the Committee filed a Miscellaneous Electronic Text Submission (Form 99) in response to the RFAI referencing the Amended 2010 October Quarterly Report, received April 14, 2011. The Form 99 stated in part:

"In your RFAI, dated April 22, 2011, regarding the Committee's amended 2010 October Quarterly Report, you note that an independent expenditure on 9/27/2010 appears on the amended report, but no 48-Hour Notice was filed for that expenditure. The Committee agrees with your finding.

The same oversight that led to the Committee's failure to report this expenditure on its original 2010 October Quarterly Report, led to its failure to file a 48-Hour Notice.

As noted in the amended report for that period, "[t]he Committee will endeavor to improve its independent expenditure reporting in the future." The Committee recognizes the importance of the 48-Hour Notice requirement and has reviewed this requirement and others with its staff after filing this amended report in order to avoid such errors in the future" (Image 11931526894).

On June 2, 2011, the Reports Analysis Division (RAD) Analyst contacted the Committee's Treasurer, Brent Husson, regarding the missing 48-Hour Notice. The Analyst explained that the issue could be referred for further Commission action. Mr. Husson stated that his staff failed to file the notice. The Analyst offered the Treasurer the opportunity to file a Form 99 if there was any additional clarifying information regarding this transaction. The Treasurer said that he did not think there was anything more he could provide, but would check with the Committee's consultant and file the Form 99 if there was any other relevant information.

Also, on June 2, 2011, the Analyst left a voicemail message for Mr. Marston, the Committee's Assistant Treasurer, to inform him that the missing 48-Hour Notice questioned on the RFAI referencing the Amended 2010 October Quarterly Report, received April 14, 2011, might be referred for further enforcement action.

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

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