

REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 14, 2018

ANALYST: Sean Krieger

I. COMMITTEE: Americas PAC  
C00559906  
Tom Donelson, Treasurer  
2560 Plymouth  
Marion, IA 52302

II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(2)  
11 CFR § 104.4(b)(2)

III. BACKGROUND:

**Failure to Provide Supporting Schedule (Failure to File 48-Hour Reports)**

Americas PAC ("the Committee") failed to timely file one (1) 48-Hour Report supporting two (2) independent expenditures totaling \$29,960.00 made up to and including the 20<sup>th</sup> day before the 2018 Primary Election in Wisconsin on August 14, 2018 (Attachment 2).

On July 14, 2018, the Committee filed the 2018 July Quarterly Report covering the period from April 1, 2018 through June 30, 2018, which included a Schedule E (Itemized Independent Expenditures) disclosing twelve (12) independent expenditures totaling \$375,374.00 made in support of two (2) federal candidates. The Committee failed to timely file one (1) 48-Hour Report to support two (2) independent expenditures totaling \$29,960.00 for the 2018 Wisconsin Primary Election (Images 201807149115486187-92).

On August 26, 2018, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2018 July Quarterly Report. The RFAI noted that the Committee may have failed to file one or more of the required 48-Hour Reports for the independent expenditures disclosed on the report. A chart was enclosed with the RFAI which identified two (2) independent expenditures totaling \$29,960.00 for which a 48-Hour Report had not been received (Image 201808270300018881-3).

On August 27, 2018 the Committee amended a 48-Hour Report <sup>1</sup>originally filed on July 12, 2018. The amended report included the two (2) independent expenditures totaling \$29,960.00 that were referenced in the RFAI, dated August 26, 2018 (Image 201808279121530771-2).

On October 2, 2018, Reports Analysis Division (RAD) Analyst called Tom Donelson, the Committee's Treasurer, regarding referable issues on the 2018 July Quarterly Report. The Analyst left a message explaining that these issues may be referred to another office within the Commission for further action, and requested that the Treasurer please call the Analyst at his earliest convenience (Attachment 3).

Also on October 2, 2018, the Analyst received a call from Amy Blunt on behalf of Mr. Donelson, Legal Counsel. The Analyst explained that based on the Committee's 2018 July Quarterly Report, it appeared that the Committee had failed to file<sup>2</sup> a 48-Hour Report for two (2) independent expenditures disclosed on Schedule E. Ms. Blunt asked what the options were to resolve this matter. The Analyst explained that if these entries were not the result of a clerical mistake, the Committee could file the notices or a Miscellaneous Electronic Submission ("FEC Form 99") with any clarifying information for consideration by the Commission (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

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<sup>1</sup> The Committee inadvertently listed this filing as a 24-Hour Report; however the Report was filed in the 48-Hour reporting timeframe and should have been marked as such.

<sup>2</sup> The 48- Hour Report was filed late on August 27, 2018; however at the time of the RFAI, the 48-Hour Report had not been filed.

Form Tp		Rpt Tp	A/I	Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE)	Treasurer Name: DONELSON, TOM	Address: 2560 PLMOUTH, MARION, IA 52302	Cmte. Name: AMERICAS PAC	Cmte. ID: C00559906	O-Index (2017-2018)
Form	Tp	Receipt Dt	Pgs	Begin Img#	201803190965985521	201804069104166633	201803190965985521	201804069104166633	Debits & Loans
MS-T		3/19/2018	1	201803190965985521	201804069104166633	201803190965985521	201804069104166633	201803190965985521	201804069104166633
MS-T		10/23/2018	1	201803190965985521	201804069104166633	201803190965985521	201804069104166633	201803190965985521	201804069104166633
RQ2	Q3	N	3/18/2018	3	20180318030001183	7/1/2017	9/30/2017	3/18/2018	5/10/2018
RQ2	Q1	N	5/10/2018	2	2018051003000098591	1/1/2018	3/31/2018	5/10/2018	6/30/2018
RQ2	Q2	N	8/26/2018	3	201808270300018881	4/1/2018	6/30/2018	8/26/2018	8/26/2018
F3XN	Q1	N	4/14/2017	6	20170414052164436	1/1/2017	3/31/2017	\$59,890	90
F3XN	Q2	N	7/15/2017	15	20170715066698355	4/1/2017	6/30/2017	\$6,890	750,000
F3XN	Q3	N	10/15/2017	15	20171015075634616	7/1/2017	9/30/2017	\$9,190	250,000
F3XA	Q3	A	3/19/2018	15	20180319096598508	7/1/2017	9/30/2017	\$9,190	250,000
F3XN	YE	N	1/12/2018	24	201801310991078570	10/1/2017	12/31/2017	\$9,043	215,000
F3XN	Q1	N	4/13/2018	32	2018041309108045164	1/1/2018	3/31/2018	\$719,496	2,000,000
F3XA	Q1	A	5/1/2018	32	201805119112017721	1/1/2018	3/31/2018	\$719,496	2,000,000
F3XN	Q2	N	7/14/2018	16	201807149115486177	4/1/2018	6/30/2018	\$167,085	500,000
F3XN	Q3	N	10/15/2018	25	20180105191248268091	7/1/2018	9/30/2018	\$233,176	500,000
F3XN	12G	N	10/25/2018	13	2018010259130901929	10/1/2018	10/17/2018	\$216,680	1,052,500
F3XN	30G	N	12/5/2018	17	2018120591341164331	10/18/2018	11/26/2018	\$266,654	891,286
F24N	24		3/19/2018	7	201803190965985501			\$394,390	364,390
F24A	24		3/19/2018	7	201803190965985501			\$266,654	891,286
F24N	24		3/21/2018	9	201803210997924933			\$202,187	127,451
F24N	24		3/28/2018	6	20180328097930917				
F24N	48		4/26/2017	7	20170426053460778				
F24N	24		7/5/2018	5	2018070591152230261				
F1A		A	7/18/2018	4	201807189115754210				
F24N	24		7/18/2018	1	201807189115754203				
F24A	24		8/27/2018	2	201808279121530771				
F24N	24		8/28/2018	1	2018082891215345761				
F24N	24		10/19/2018	1	201810199125659970				
F24N	24		11/11/2018	1	201811019133572109				
F24N	24		10/29/2018	1	2018102909133551527				
F24N	24		12/23/2018	7	201802230905522887				
F24A	24		11/15/2017	8	201711159086637419				
F24A	24		10/11/2018	4	201801109090387251				
F24N	24		10/10/2018	2	201801109090387275				
F24N	24		2/6/2018	7	2018020590942389981				
F24A	24		2/23/2018	7	201802230905522887				
F24A	24		2/28/2018	7	201802280905366222				
F24N	24		7/12/2018	1	201807129115372508				
F24N	24		7/12/2018	1	201807129115372616				
F24N	24		10/11/2018	1	2018101191244908301				
F24N	24		10/11/2018	1	201810119124491064				
F24N	24		10/10/2018	1	201810109124456524				
F24N	24		10/5/2018	1	201810059124378449				
F24N	24		9/27/2017	7	20170927075530616				



F24A	24		10/30/2016	3	201610300037009159
F24A	24		10/30/2016	2	201610300037009164
F24A	24		10/27/2016	1	201610270034649751
F24N	24		10/27/2016	1	201610270034650070
F24A	24		12/12/2016	5	201601210004558426
F24N	24		5/18/2016	1	201605180015534197
F24N	24		5/18/2016	2	201605180015534198
F24N	24		5/18/2016	2	201605180015534499
F24N	24		6/2/2016	1	201606020017463173
F24N	24		8/17/2016	1	201608170022468813
F24N	24		10/12/2016	3	201610120032272228
F24N	24		10/12/2016	1	201610120032272236
F24N	24		10/14/2016	2	201610140032452219
F24N	24		10/20/2016	2	201610200034145031
Totals					\$1,950,700 \$1,916,409

Form	Typ	Rept	Abt	Recpt Dt	Pgs	Begin Ind#	Beg Cvg Dt	End Cvg Dt	Ltrr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
F3XN	Q1	N	4/15/2014	8	14960690831	1/1/2014	3/31/2014		\$0	\$50,000	\$44,202	\$5,798	-	-	\$0	
F3XA	Q1	A	4/30/2014	8	14941171931	1/1/2014	3/31/2014		\$0	\$50,000	\$44,202	\$5,798	-	-	\$0	
F3XN	12P	N	6/12/2014	16	14961253368	4/1/2014	6/4/2014		\$5,798	\$400,000	\$383,596	\$22,202	-	-	\$0	
F3XN	Q2	N	7/15/2014	9	14961595008	6/5/2014	6/30/2014		\$22,202	\$20,000	\$18,700	\$23,502	-	-	\$0	
F3XN	12R	N	8/14/2014	11	14970080554	7/1/2014	8/6/2014		\$23,502	\$140,000	\$92,912	\$70,590	-	-	\$0	
F3XN	Q3	N	10/15/2014	14	14978277872	8/7/2014	9/30/2014		\$70,590	\$95,000	\$69,305	\$96,285	-	-	\$0	
F3XN	12G	N	10/23/2014	12	14952405831	10/1/2014	10/15/2014		\$96,285	\$45,000	\$79,740	\$61,545	-	-	\$0	
F3XN	30G	N	12/4/2014	13	14952632648	10/16/2014	11/24/2014		\$61,545	\$0	\$35,445	\$26,100	-	-	\$0	
F3XN	YE	N	1/26/2015	6	14950082021	11/25/2014	12/31/2014		\$26,100	\$0	\$560	\$26,600	-	-	\$0	
F1	N	3/19/2014	7		14031200544											
F24N	48		4/30/2014	3												
F24N	48		4/30/2014	3												
F24N	24		6/23/2014	1												
F24N	24		6/20/2014	1												
F24N	24		6/16/2014	1												
F24N	48		9/14/2014	1												
F24N	24		9/10/2014	1												
F24N	24		9/29/2014	6												
F24N	24		8/22/2014	1												
F24N	24		8/24/2014	2												
F24N	24		10/15/2014	3												
F24N	24		10/29/2014	2												
F24N	24		10/29/2014	6												
F24N	48		5/14/2014	2												
F24A	48		5/14/2014	2												
F24N	48		5/28/2014	1												
F24N	48		6/2/2014	1												
F24N	24		8/13/2014	2												
F24N	24		8/13/2014	3												

O-Index (2013-2014)

Cmte. ID: C00555906

Cmte. Name: AMERICAS PAC

Treasurer Name: DONELSON, TOM

Address: 2580 PLYMOUTH, MARION, IA 52302

Cmte. Designation: U (UNAUTHORIZED)

Frequency: QUARTERLY FILER

F24A	24	8/14/2014	2	14970080380
F1A	A	9/30/2014	4	14978042173
F24A	24	12/4/2014	3	14952832183
<b>Totals</b>				<b>\$750,000</b>
				<b>\$724,400</b>

**Americas PAC (C00559906)**  
**2018 July Quarterly Report, received 7/14/18**

**48-Hour Report Not Timely Filed**

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	State and Date of election	48-Hour Report Filed <sup>3</sup>
Milwaukee Radio Group	7/11/18	\$18,200.00	NICHOLSON, KEVIN	Wisconsin – 2018 Primary (8/14/2018)	8/27/2018
WDDW	7/11/18	\$11,760.00 <i>48-Hour Report Required</i>	NICHOLSON, KEVIN	Wisconsin – 2018 Primary (8/14/2018)	8/27/2018

<sup>3</sup> Committee inadvertently marked filing as a 24-Hour Report.