

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 (RAI) was sent to the Committee referencing the 2018 July Quarterly Report. The RAI 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 RAI 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 RAI, 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 RAI, the 48-Hour Report had not been filed.

## O-Index (2017-2018)

Cmte. ID: C00559906 Cmte. Name: AMERICAS PAC  
 Treasurer Name: DONELSON, TOM Address: 2560 PLYMOUTH, MARION, IA 52302  
 Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

Form Tpt	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Lng#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			3/19/2018	1	20180319096596552										
MS-T			4/6/2018	1	201804069104166633										
MS-T			10/23/2018	1	201810239130804311										
RQ2	Q3	N	3/18/2018	3	20180318030001183	7/1/2017	9/30/2017	3/18/2018							
RQ2	Q1	N	5/10/2018	2	201805100300009859	1/1/2018	3/31/2018	5/10/2018							
RQ2	Q2	N	8/26/2018	3	201808270300018881	4/1/2018	6/30/2018	8/26/2018							
F3XN	Q1	N	4/14/2017	6	201704140952164436	1/1/2017	3/31/2017		\$59,890	\$0	\$53,000	\$6,890			\$0
F3XN	Q2	N	7/15/2017	15	201707150966695355	4/1/2017	6/30/2017		\$6,890	\$750,000	\$747,700	\$9,190			\$0
F3XN	Q3	N	10/15/2017	15	201710150975684616	7/1/2017	9/30/2017		\$9,190	\$250,000	\$251,147	\$8,043			\$0
F3XN	Q3	A	3/19/2018	15	201803190965965508	7/1/2017	9/30/2017		\$9,190	\$250,000	\$251,147	\$8,043			\$0
F3XN	YE	N	1/31/2018	24	201801310991078570	10/1/2017	12/31/2017		\$8,043	\$2,151,000	\$1,439,547	\$719,496			\$0
F3XN	Q1	N	4/13/2018	32	2018041309108045164	1/1/2018	3/31/2018		\$719,496	\$2,000,000	\$2,552,431	\$167,065			\$0
F3XN	Q1	A	5/11/2018	32	201805119112017721	1/1/2018	3/31/2018		\$719,496	\$2,000,000	\$2,552,431	\$167,065			\$0
F3XN	Q2	N	7/14/2018	16	201807149115486177	4/1/2018	6/30/2018		\$167,065	\$506,500	\$440,389	\$233,176			\$0
F3XN	Q3	N	10/15/2018	25	201810159124826809	7/1/2018	9/30/2018		\$233,176	\$1,052,500	\$891,286	\$394,390			\$0
F3XN	12G	N	10/25/2018	13	201810259130901929	10/1/2018	10/17/2018		\$394,390	\$216,680	\$344,416	\$266,654			\$0
F3XN	30G	N	12/5/2018	17	201812059134116433	10/18/2018	11/26/2018		\$266,654	\$62,984	\$202,187	\$127,451			\$0
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F24A	24		3/19/2018	7	201803190965965501										
F24N	24		3/21/2018	9	201803219097924933										
F24N	24		3/28/2018	6	2018032809097930917										
F24N	48		4/26/2017	7	2017042609053480778										
F24N	24		7/5/2018	5	201807059115223026										
F1A		A	7/18/2018	4	201807189115754210										
F24N	24		7/18/2018	1	201807189115754203										
F24A	24		8/27/2018	2	201808279121530771										
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F24N	24		11/1/2018	1	201811019133572109										
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F24N	24		10/29/2018	1	201810299133551528										
F24N	24		11/15/2017	8	201711159086637419										
F24N	24		1/10/2018	4	201801109090387251										
F24N	24		1/10/2018	2	201801109090387275										
F24N	24		2/5/2018	7	201802059094238998										
F24A	24		2/23/2018	7	201802239095522887										
F24A	24		2/28/2018	7	201802289095636622										
F24N	24		7/12/2018	1	201807129115372508										
F24N	24		7/12/2018	1	201807129115372616										
F24N	24		10/11/2018	1	201810119124490830										
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F24N	24		10/5/2018	1	201810059124378449										
F24N	24		9/27/2017	7	201709279075530616										

F24N	24			10/3/2018	6	2018100391242826371	-	-	-	-	-	-
F24N	24			10/3/2018	1	201810039124282643	-	-	-	-	-	-
F24N	24			10/3/2018	7	201810039124282645	-	-	-	-	-	-
F24N	24			10/3/2018	1	201810039124282652	-	-	-	-	-	-
F24N	24			10/3/2018	2	201810039124282675	-	-	-	-	-	-
F24N	24			10/24/2018	1	201810249130845757	-	-	-	-	-	-
F24N	24			10/22/2018	1	201810229130599120	-	-	-	-	-	-
F24N	24			10/22/2018	1	201810229130599126	-	-	-	-	-	-
F24N	24			10/25/2018	3	201810259130902313	-	-	-	-	-	-
F24N	24			11/24/2018	1	201811249133807503	-	-	-	-	-	-
Totals							\$6,989,664	\$6,922,103				

O-Index (2015-2016)															
Cmte. ID: C00559906    Cmte. Name: AMERICAS PAC															
Treasurer Name: DONELSON, TOM    Address: 2560 PLYMOUTH, MARION, IA 52302															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE)    Cmte. Designation: U (UNAUTHORIZED)    Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	All	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
RQ2	24		1/13/2016	3	201601130300009413		1/13/2016		-	-	-	-	-	-	-
RQ2	Q2	N	8/25/2016	2	201608250300057618	4/1/2016	6/30/2016	8/25/2016	-	-	-	-	-	-	-
RQ2	12P	N	8/25/2016	2	201608250300057620	7/1/2016	7/13/2016	8/25/2016	-	-	-	-	-	-	-
RQ2	Q3	N	2/5/2017	2	201702050300077013	7/14/2016	9/30/2016	2/5/2017	-	-	-	-	-	-	-
RQ2	12G	N	2/7/2017	2	201702070300077129	10/1/2016	10/19/2016	2/7/2017	-	-	-	-	-	-	-
RQ2	30G	N	2/7/2017	2	201702070300077131	10/20/2016	11/28/2016	2/7/2017	-	-	-	-	-	-	-
F3XN	Q1	N	4/13/2015	6	15970338308	1/1/2015	3/31/2015		\$25,600	\$0	\$13,650	\$11,950	-	-	\$0
F3XN	Q2	N	7/15/2015	7	201507159000141371	4/1/2015	6/30/2015		\$11,950	\$10,000	\$1,500	\$20,450	-	-	\$0
F3XN	Q3	N	10/15/2015	6	201510159002910886	7/1/2015	9/30/2015		\$20,450	\$0	\$7,992	\$12,458	-	-	\$0
F3XN	YE	N	1/29/2016	16	201601299004789791	10/1/2015	12/31/2015		\$12,458	\$500,000	\$400,360	\$112,097	-	-	\$0
F3XN	Q1	N	4/14/2016	9	201604149012337459	1/1/2016	3/31/2016		\$112,097	\$10,000	\$104,600	\$17,497	-	-	\$0
F3XA	Q1	A	4/14/2016	9	201604149012344077	1/1/2016	3/31/2016		\$112,097	\$10,000	\$104,600	\$17,497	-	-	\$0
F3XN	Q2	N	7/15/2016	20	201607159020498939	4/1/2016	6/30/2016		\$17,497	\$520,700	\$513,946	\$24,251	-	-	\$0
F3XA	Q2	A	8/26/2016	20	201608269023752248	4/1/2016	6/30/2016		\$17,497	\$520,700	\$513,946	\$24,251	-	-	\$0
F3XN	12P	N	7/21/2016	11	201607219021930263	7/1/2016	7/13/2016		\$24,251	\$300,000	\$72,923	\$251,328	-	-	\$0
F3XA	12P	A	8/26/2016	11	201608269023752237	7/1/2016	7/13/2016		\$24,251	\$300,000	\$72,923	\$251,328	-	-	\$0
F3XN	Q3	N	10/14/2016	18	201610149032465614	7/14/2016	9/30/2016		\$251,328	\$250,000	\$441,622	\$59,706	-	-	\$0
F3XA	Q3	A	2/6/2017	18	201702069042414361	7/14/2016	9/30/2016		\$251,328	\$250,000	\$441,622	\$59,706	-	-	\$0
F3XN	12G	N	10/27/2016	16	201610279034649895	10/1/2016	10/19/2016		\$59,706	\$360,000	\$321,720	\$97,986	-	-	\$0
F3XA	12G	A	2/6/2017	16	201702089045576763	10/1/2016	10/19/2016		\$59,706	\$360,000	\$321,720	\$97,986	-	-	\$0
F3XN	30G	N	12/7/2016	7	201612079037700287	10/20/2016	11/28/2016		\$97,986	\$0	\$38,096	\$59,890	-	-	\$0
F3XA	30G	A	2/6/2017	7	201702089045576795	10/20/2016	11/28/2016		\$97,986	\$0	\$38,096	\$59,890	-	-	\$0
F3XN	YE	N	1/31/2017	5	201701319042136824	11/29/2016	12/31/2016		\$59,890	\$0	\$0	\$59,890	-	-	\$0
F24N	24		1/6/2016	5	201601069004438187				-	-	-	-	-	-	-
F24N	24		6/22/2016	2	201606229020090607				-	-	-	-	-	-	-
F24N	24		7/15/2016	3	201607159020537434				-	-	-	-	-	-	-
F24N	24		9/14/2016	3	201609149030813859				-	-	-	-	-	-	-
F24N	24		9/14/2016	3	201609149030813862				-	-	-	-	-	-	-
F24N	24		9/14/2016	1	201609149030813866				-	-	-	-	-	-	-
F24N	24		9/12/2016	3	201609129030778588				-	-	-	-	-	-	-
F1A		A	9/2/2016	4	201609029023771676				-	-	-	-	-	-	-
F24N	24		11/7/2016	1	201611079037133707				-	-	-	-	-	-	-

[illegible]

O-Index (2013-2014)															
Cmte. ID: C00559905    Cmte. Name: AMERICAS PAC Treasurer Name: DONELSON, TOM    Address: 2560 PLYMOUTH, MARION, IA 52302 Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE)    Cmte. Designation: U (UNAUTHORIZED)    Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	All	Recpt Dt	Pgs	Begin Img#	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
F3XN	Q1	N	4/15/2014	8	14960680831	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	Q2	N	6/1/2014	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	Q3	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	Q4	N	10/23/2014	12	14952405831	10/1/2014	10/15/2014		\$96,285	\$45,000		\$79,740	\$61,545	-	\$0
F3XN	Q4	N	12/4/2014	13	14952832648	10/16/2014	11/24/2014		\$61,545	\$0		\$35,445	\$26,100	-	\$0
F3XN	YE	N	1/26/2015	6	15950083027	11/25/2014	12/31/2014		\$26,100	\$0		\$500	\$25,600	-	\$0
F1		N	3/19/2014	7	14031200544				-	-		-	-	-	-
F24N	48		4/30/2014	3	14941171939				-	-		-	-	-	-
F24N	48		4/30/2014	3	14960868411				-	-		-	-	-	-
F24N	24		6/23/2014	1	14941628020				-	-		-	-	-	-
F24N	24		6/20/2014	1	14941621582				-	-		-	-	-	-
F24N	24		6/16/2014	1	14941320318				-	-		-	-	-	-
F24N	48		9/14/2014	1	14970760353				-	-		-	-	-	-
F24N	24		9/10/2014	1	14970749109				-	-		-	-	-	-
F24N	24		8/22/2014	1	14970728432				-	-		-	-	-	-
F24N	24		8/24/2014	2	14950087070				-	-		-	-	-	-
F24N	24		10/15/2014	3	14978279956				-	-		-	-	-	-
F24N	24		10/29/2014	2	14952556432				-	-		-	-	-	-
F24N	24		10/29/2014	6	14952556451				-	-		-	-	-	-
F24N	48		5/14/2014	2	14941208971				-	-		-	-	-	-
F24A	48		5/14/2014	2	14941209002				-	-		-	-	-	-
F24N	48		5/28/2014	1	14961229405				-	-		-	-	-	-
F24N	48		6/2/2014	1	14961233754				-	-		-	-	-	-
F24N	24		8/13/2014	2	14950011936				-	-		-	-	-	-
F24N	24		8/13/2014	3	14950011938				-	-		-	-	-	-

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

**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.