

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: January 02, 2018

ANALYST: Kaitlin Seufert

- I. COMMITTEE: America Comes First PAC
C00623256
David W. Schamens, Treasurer
1455 Pennsylvania Avenue NW
Suite 400
Washington, DC 20004
- II. RELEVANT STATUTES: 52 U.S.C. §30104 (g)(2)
11 CFR §104.4 (b)(2)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to File 48-Hour Reports)

America Comes First PAC (“the Committee”) failed to file two (2) 48-Hour Reports totaling \$68,297.60 to support three (3) independent expenditures disclosed on the Amended 2016 October Quarterly Report, received December 11, 2016, made up to and including the 20th day before the 2016 General Election (Attachment 2).

On December 5, 2016, the Committee filed the 2016 October Quarterly Report, covering the period from July 1, 2016 through September 30, 2016. The report did not include a Schedule E (Itemized Independent Expenditures) (Image 201612059037616713).

On December 11, 2016, the Committee filed an Amended 2016 October Quarterly Report. The Report included a Schedule E disclosing six (6) independent expenditures totaling \$173,297.60 made in support of one (1) federal candidate. The Committee failed to file two (2) 48-Hour Reports to support three (3) independent expenditures totaling \$68,297.60 for the General Election (Images 201612119040604305-7; Attachment 2).

On February 21, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2016 October Quarterly Report, received December 11, 2016. Among other items, the RFAI noted that the Committee may have failed to file one or more required 48-Hour Reports regarding independent expenditures. A chart was included with the RFAI identifying three (3) independent expenditures, totaling \$68,297.60, for which a 48-Hour Report had not been filed (Images 201702210300081076-80).

On October 10, 2017, the Reports Analysis Division (RAD) Analyst called David Schamens, the Committee's Treasurer, regarding the RFAI referencing the Amended 2016 October Quarterly Report, received December 11, 2016. The Analyst explained that the missing 48-Hour Report for several independent expenditures is an issue that may be referred for further action to another office within the Commission. The Analyst further explained that the purpose of the call was to inform the Committee of the potential referral and give them an opportunity to put further information on the public record if they wished to do so (Attachment 3).

On October 16, 2017, the Analyst left a voicemail message for Mr. Schamens per his request. The Analyst reminded the Committee that any response to the RFAI for the Amended 2016 October Quarterly Report, received December 11, 2016, should be filed by the next business day (Attachment 3).

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

O-Index (2017-2018)															
Cmte. ID: C00623256 Cmte. Name: AMERICA COMES FIRST PAC															
Treasurer Name: SCHAMENS, DAVID W MR. Address: 1455 PENNSYLVANIA AVENUE NW SUITE 400, WASHINGTON, DC 20004															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
RQ7	MY		8/16/2017	2	201708160300091292	1/1/2017	6/30/2017	8/16/2017	-	-	-	-	-	-	-
Totals										\$0	\$0				

O-Index (2015-2016)															
Cmte. ID: C00623256 Cmte. Name: AMERICA COMES FIRST PAC															
Treasurer Name: SCHAMENS, DAVID W MR. Address: 1455 PENNSYLVANIA AVENUE NW SUITE 400, WASHINGTON, DC 20004															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			12/12/2016	1	201612129040605418				-	-	-	-	-	-	-
MS-T			12/13/2016	1	201612139040606735				-	-	-	-	-	-	-
RQ2	Q3	A	2/21/2017	5	201702210300081076	7/1/2016	9/30/2016	2/21/2017	-	-	-	-	-	-	-
RQ7	Q3		10/31/2016	2	201610310300066996	8/5/2016	9/30/2016	10/31/2016	-	-	-	-	-	-	-
RQ2	12G	A	3/23/2017	3	201703230300083048	10/1/2016	10/19/2016	3/23/2017	-	-	-	-	-	-	-
RQ2	30G	N	3/23/2017	3	201703230300083043	10/20/2016	11/28/2016	3/23/2017	-	-	-	-	-	-	-
RQ7	YE		2/16/2017	2	201702170300080558	11/29/2016	12/31/2016	2/16/2017	-	-	-	-	-	-	-
F3XN	Q3	N	12/5/2016	12	201612059037616713	7/1/2016	9/30/2016		\$10,401	\$305,199	\$218,282	\$97,318	-	-	\$0
F3XA	Q3	A	12/11/2016	13	201612119040604295	7/1/2016	9/30/2016		\$0	\$228,705	\$218,303	\$10,401	-	-	\$0
F3XN	12G	N	12/5/2016	6	201612059037617026	10/1/2016	10/19/2016		\$10,401	\$306	\$10,397	\$310	-	-	\$0
F3XA	12G	A	12/14/2016	6	201612149040608330	10/1/2016	10/19/2016		\$10,401	\$310	\$10,401	\$310	-	-	\$0
F3XA	12G	A	12/14/2016	6	201612149040608345	10/1/2016	10/19/2016		\$10,401	\$310	\$10,401	\$310	-	-	\$0
F3XN	30G	N	12/14/2016	9	201612149040608336	10/20/2016	11/28/2016		\$310	\$2,850	\$2,641	\$519	-	-	\$0
F1N		N	8/5/2016	5	201608059022180004				-	-	-	-	-	-	-
Totals										\$231,865	\$231,345				

O-Index (2013-2014)															
Cmte. ID: C00623256 Cmte. Name: AMERICA COMES FIRST PAC															
Treasurer Name: SCHAMENS, DAVID W MR. Address: 1455 PENNSYLVANIA AVENUE NW SUITE 400, WASHINGTON, DC 20004															
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No records were found for this cycle.

America Comes First PAC (C00623256)

Amended 2016 October Quarterly Report, received December 11, 2016

48-Hour Reports Not Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount (Images 201612119040604305-06)	Candidate Supported	Election
Sokal Media Group	9/9/2016	\$50,000.00 <i>48-Hour Report Required</i>	Donald J. Trump	2016 General
America Comes First PAC	9/22/2016	\$15.00	Donald J. Trump	2016 General
Propel Marketing	9/28/2016	\$18,282.60 <i>48-Hour Report Required</i>	Donald J. Trump	2016 General
	Total	\$68,297.60		