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COMMISSION

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TO: Office of General Counsel
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

CELA

FROM: Mark Smith, Chair, Iowa Democratic Party

To the Office of General Counsel,

I am writing to register a complaint with the Federal Election Commission regarding actions taken by the federally-registered Super PAC America's PAC that violate campaign finance regulations intended to ensure transparency for the American people in the paid advertising run by political groups.

Currently, America's PAC is running paid radio advertising in Iowa that began on May 13, that misleadingly attacks both Democrats in general and Rep. Abby Finkenauer specifically for their efforts to keep Americans safe and fight the COVID-19 pandemic so we can reopen our economy effectively.¹

However, America's PAC has failed to publicly report this spending to the Federal Election Commission, and by extension to Iowa voters, through the mandatory Form 3X, Schedule E, which it is required to do within 48 hours of distributing its paid advertising.

As the Federal Election Commission clearly states:²

At any time during a calendar year through the 20th day before an election, political committees must report each time it makes independent expenditures with an aggregate value of \$10,000 or more with respect to a given election.

48-Hour reports (Form 3X, Schedule E) are due within 48 hours of each qualifying independent expenditure. This means that reports are due by 11:59 p.m. Eastern Time on the second day after the expenditure was "publicly distributed or otherwise publicly disseminated."

As of June 18, more than a month and counting after America's PAC's radio ad began running, the Super PAC has failed to file any such disclosure, putting it in violation of federal election law.

I urge the Federal Election Commission to take action to remedy this violation of its regulations so that Iowa voters can know who is behind the political advertising they hear on the radio.

Sincerely,


Mark Smith

Signed and sworn to before me on this 23 day of June in the year 2020.


RUTH ANNE KOSBAU
Commission Number 815158
My Commission Expires 2/6/2022

¹ America's PAC radio ad, recorded 6/12/20, https://drive.google.com/file/d/1b0tF-tCimWJXsJm_nmEmR4YTk2Nf1pQo/view

² Reporting independent expenditures on Form 3X, Federal Election Commission, <https://www.fec.gov/help-candidates-and-committees/making-independent-expenditures/reporting-independent-expenditures-form-3x/>