



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

February 23, 2023

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR* *BH*  
Kristin D. Roser/Ben Holly  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation - 2022 30-Day Post-General Report  
(Unauthorized Filers) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2022 30-Day Post-General Report in accordance with 52 U.S.C. § 30104(a). The list is comprised of unauthorized committees that failed to file or timely file the 2022 30-Day Post-General Report.

The committees appearing on the 30-Day Post-General Report list either failed to file the report, filed the report after the due date but within thirty (30) days of the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. § 111.43, these committees should be assessed the civil money penalties indicated in the attachment.

In order to determine the level of activity for unauthorized quarterly filers that failed to file or failed to timely file the 30-Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 30-Day Post-General Report (30G) submitted by an unauthorized quarterly filer that covered the period from October 1, 2022 through November 28, 2022 (59 days), was reviewed for activity which would have required the filing of a 12-Day Pre-General Report (12G). If our research indicated that the filing of a 12G was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 32.20% (19 days (12G Filing Period)/59 days (30G Filing Period)).
- The committees identified through this process as failing to file or failing to timely file the 12G were included in the Reason to Believe Recommendation circulated to the Commission on February 22, 2023. If the same committee also failed to file the 30G in a timely manner, we based the 30G fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12G from the total amount of activity on the 30G. In these cases, the committees will also be assessed a fine for the 30G based on the estimated levels of activity described above and are included on the attached list.
- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2022 through December 31, 2022 (92 days) was reviewed for activity which would have required the filing of a 30G. If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 64.13% (59 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G. If the same committee was required to file the 12G, but failed to file this report, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 43.48% (40 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G.

## **Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2022 POST-GENERAL Not Election Sensitive 12/08/2022 UNAUTH

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
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4531	C00193854	AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE	SHANNON MORRISON	\$316,381	0	1/10/2023	*Not Filed	\$7,958	\$483
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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation – )  
2022 30-Day Post-General Report )  
(Unauthorized Filers) for the Administrative )  
Fine Program: )

AMERICAN PHARMACISTS ) AF# 4531  
ASSOCIATION POLITICAL ACTION )  
COMMITTEE, and MORRISON, )  
SHANNON as treasurer; )

Federal Election Commission  
Certification for Administrative Fines  
February 24, 2023

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CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election Commission, do hereby certify that on February 24, 2023 the Commission took the following actions on the Reason To Believe Recommendation – 2022 30-Day Post-General Report (Unauthorized Filers) for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated February 23, 2023, on the following committees:

Federal Election Commission  
Certification for Administrative Fines  
February 24, 2023

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AF#4531      Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE, and MORRISON, SHANNON in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

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Certification for Administrative Fines  
February 24, 2023

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February 24, 2023

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Attest:

**Vicktoria J Allen**

Digitally signed by Vicktoria J  
Allen  
Date: 2023.02.27 14:04:35 -05'00'

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Vicktoria J. Allen  
Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

February 28, 2023

Shannon Morrison, in official capacity as Treasurer  
American Pharmacists Association Political Action Committee  
2215 Constitution Avenue, NW  
Washington, DC 20037

C00193854

AF#: 4531  
FINE: \$483

Dear Shannon Morrison,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30-Day Post-General Report of Receipts and Disbursements in a calendar year in which a regularly scheduled general election is held. This report, covering the period October 20, 2022 through November 28, 2022 shall be filed no later than December 8, 2022. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission (the "Commission" or "FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On February 24, 2023, the Commission found that there is reason to believe ("RTB") that American Pharmacists Association Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before December 8, 2022. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$483. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.55. Attachment 1. The FEC's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$483 is due within forty (40) days of the finding, or by April 5, 2023, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$7,958

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purpose of calculating the penalty)

## AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE

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Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you decide to challenge the RTB finding and/or calculated civil money penalty, you must email a written response to the FEC's Office of Administrative Review at [administrativefines@fec.gov](mailto:administrativefines@fec.gov). Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or April 5, 2023. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three factors: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). For a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

If you fail to timely raise a factual argument in your challenge to the RTB finding, your right to present such an argument in an appeal to the U.S. District Court under 52 U.S.C. § 30109 shall be deemed waived. 11 C.F.R. § 111.38.

It should also be noted that all challenges to an RTB finding and/or calculated civil money penalty should be converted to PDF (Portable Document Format) and emailed to [administrativefines@fec.gov](mailto:administrativefines@fec.gov). The Commission encourages the use of electronic

## AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE

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signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date they are electronically received by staff.

In addition, if you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address, and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response challenging the RTB finding and/or calculated civil money penalty, the FEC will conclude that the factual allegations underlying the RTB finding and/or calculated civil money penalty are true and make a final determination that American Pharmacists Association Political Action Committee and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, et seq. The Commission may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you decide to pay the calculated civil money penalty, please follow the payment instructions below. Upon receipt of your payment, the FEC will send you a final determination letter.

You may remit payment by Automated Clearinghouse ("ACH") withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit <https://www.fec.gov/af/pay.shtml> to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details at the top of this letter to complete the required fields.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS****Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the

## AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE

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amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

**Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission will be rejected. This includes making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 C.F.R. § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll-free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Dara Lindenbaum  
Chair





March 31, 2023

Federal Election Commission  
FEC Office of Administrative Review  
1050 First Street, NE  
Washington DC, 30453  
Re: C00193854 AF#: 4531

Dear Administrative Review Officer,

This letter is to appeal to the RTB finding that the APhA PAC failed to file the 2023 Post Election report in a timely manner. In your letter, you state we did not meet the deadline of December 8, 2022. While we recognize that we did not ultimately file the report until January 10, 2023, we would like to offer you an explanation as to why this report was tardy.

The APhA Government Affairs team recently went through a staff transition within the past few months. As a result, our team was unfamiliar with the FEC filing process and sought the assistance of our vendor to file the report. During the filing process, we were erroneously advised that the report was submitted, when in fact it had only been filed. While we recognize that this responsibility ultimately falls upon us, we ask that you consider an exception given the unique circumstances at hand and the fact that this is our first violation. If you are unable to accept this appeal, we ask that you change the status to "late filing" as opposed to "not filed."

I appreciate your consideration of this matter. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Shannon Morrison'.

Shannon Morrison  
Chief Financial Officer



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 25, 2023

## **REVIEWING OFFICER RECOMMENDATION OFFICE OF ADMINISTRATIVE REVIEW (“OAR”)**

AF# 4531 – American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer (C00193854)

### **Summary of Recommendation**

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$483 civil money penalty.

### **Reason-to-Believe Background**

The 2022 Post-General Report was due on December 8, 2022. The respondents filed the report on January 10, 2023, 33 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On February 24, 2023, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 Post-General Report and made a preliminary determination that the civil money penalty was \$483 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was sent to the respondents’ email address of record from the Reports Analysis Division (“RAD”) on February 28, 2023 to notify them of the Commission’s RTB finding and civil money penalty.

### **Legal Requirements**

The Federal Election Campaign Act (“Act”) states that the treasurer of a committee not authorized by a candidate shall file a post-general election report covering through the 20th day after the election no later than 30 days after the election. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(1)(iii). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

## Summary of Respondents' Challenge

On March 30, 2023, the Commission received the written response (“challenge”) from the respondents requesting the Commission waive or reduce the penalty. They explain:

The APhA Government Affairs team recently went through a staff transition within the past few months. As a result, our team was unfamiliar with the FEC filing process and sought the assistance of our vendor to file the report. During the filing process, we were erroneously advised that the report was submitted, when in fact it had only been filed.

The Treasurer concludes by acknowledging the Committee’s responsibility and noting that this is the Committee’s first violation. They request that the Commission consider the unique circumstances presented.

## Analysis

The Committee states that its vendor informed them the 2022 Post-General Report was timely filed, but they later discovered the report was not successfully uploaded to the Commission. While the Committee’s challenge does not indicate when the Committee became aware of the missing report, Commission records indicate the Committee was alerted to its failure to file the report on two occasions. On December 9, 2023, the day following the filing deadline, the Commission’s Electronic Filing Office (“EFO”) sent a late notification email regarding the 2022 Post-General Report to [pac@aphanet.org](mailto:pac@aphanet.org) and [mrdouglass@aphanet.org](mailto:mrdouglass@aphanet.org) because the report had not yet been filed. On December 22, 2022, RAD sent the non-filer notification via email to the same email addresses.<sup>1</sup> Despite receiving these notices, the Committee did not file the report until January 10, 2023, 33 days late.

The Reviewing Officer also notes that when an electronic report is successfully uploaded, EFO sends a confirmation email indicating whether the filing was accepted or rejected. Given the Committee’s experience in filing, it should have expected to receive this email. The absence of this email should have alerted the Committee that its filing was not received.

While the Committee may have contracted with a vendor to file the report, the Reviewing Officer notes that the treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 111.35(b). Failure to use filing software properly and delays caused by vendors are specifically included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents’ control. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$483 civil money penalty.

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<sup>1</sup> On 1/10/23, the Committee filed an Amended Statement of Organization to update the Committee’s email addresses to [pac@aphanet.org](mailto:pac@aphanet.org) and [dhuyinh@aphanet.org](mailto:dhuyinh@aphanet.org).

**OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4531 involving American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4531 that American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$483 civil money penalty; and
3. Send the appropriate letter.

**Attachments**

Attachment 1 –  
Attachment 2 –  
Attachment 3 – Declaration from RAD  
Attachment 4 – Declaration from OAR

**DECLARATION OF KRISTIN D. ROSER**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission (“Commission”). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports, and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the American Pharmacists Association Political Action Committee:
  - A) Non-Filer Letter, dated December 22, 2022, referencing the 2022 30-Day Post-General Report (sent via electronic mail to: [pac@aphanet.org](mailto:pac@aphanet.org) and [mrdouglass@aphanet.org](mailto:mrdouglass@aphanet.org));
  - B) Reason-to-Believe Letter, dated February 28, 2023, referencing the 2022 30-Day Post-General Report (sent via electronic mail to: [pac@aphanet.org](mailto:pac@aphanet.org) and [dhuynh@aphanet.org](mailto:dhuynh@aphanet.org)).
4. I hereby certify that I have searched the Commission’s public records and find that the American Pharmacists Association Political Action Committee filed the 2022 30-Day Post-General Report with the Commission on January 10, 2023.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed on the 12<sup>th</sup> day of April, 2023.



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Kristin D. Roser  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-7

December 22, 2022

MORRISON, SHANNON, TREASURER  
AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE  
2215 CONSTITUTION AVENUE, NW  
WASHINGTON, DC 20037

IDENTIFICATION NUMBER: C00193854

REFERENCE: POST-GENERAL REPORT (10/20/2022 - 11/28/2022)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately. The report must be filed with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at [www.fec.gov](http://www.fec.gov).

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Jamie Sikorsky in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1137.

AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE

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Sincerely,

A handwritten signature in black ink that reads "Debbie Chacona". The script is cursive and fluid, with the first name "Debbie" and last name "Chacona" clearly distinguishable.

Deborah Chacona  
Assistant Staff Director

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**DECLARATION OF RHIANNON MAGRUDER**

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A committee not authorized by a candidate shall file a post-general report covering through the 20<sup>th</sup> day after the election no later than 30 days after the election. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on December 8, 2022 for the 2022 Post-General Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - a) Cover, Summary, and Detailed Summary Pages of the 2022 Post-General Report filed by American Pharmacists Association Political Action Committee. The report includes the coverage period of October 20, 2022 through November 28, 2022 and was filed on January 10, 2023.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 25<sup>th</sup> day of May, 2023.



Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review  
Federal Election Commission



Image# 202301109574639650

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**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE

ADDRESS (number and street)

2215 Constitution Avenue, NW

Check if different  
than previously  
reported. (ACC)

Washington

DC

20037

2. FEC IDENTIFICATION NUMBER ▼ CITY ▲ STATE ▲ ZIP CODE ▲

C C00193854

3. IS THIS REPORT ☒ NEW (N) OR ☐ AMENDED (A)

**4. TYPE OF REPORT**

(Choose One)

(a) Quarterly Reports:

- ☐ April 15  
Quarterly Report (Q1)
- ☐ July 15  
Quarterly Report (Q2)
- ☐ October 15  
Quarterly Report (Q3)
- ☐ January 31  
Year-End Report (YE)
- ☐ July 31 Mid-Year  
Report (Non-election  
Year Only) (MY)
- ☐ Termination Report  
(TER)

- (b) Monthly Report Due On: ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11)  
(Non-Election Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)  
(Non-Election Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

- (c) 12-Day ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- PRE-Election** Report for the: ☐ Convention (12C) ☐ Special (12S)

Election on

M M / D D / Y Y Y Y Y Y

in the  
State of

- (d) 30-Day ☒ **POST-Election** General (30G) ☐ Runoff (30R) ☐ Special (30S)
- Report for the:

Election on

M M / D D / Y Y Y Y Y Y  
11 08 2022in the  
State of

DC

5. Covering Period M M / D D / Y Y Y Y Y Y 10 20 2022 through M M / D D / Y Y Y Y Y Y 11 28 2022

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Morrison, Shannon, , ,

Type or Print Name of Treasurer

Signature of Treasurer

Morrison, Shannon, , ,

[Electronically Filed]

Date

M M / D D / Y Y Y Y Y Y  
01 10 2023

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office  
Use  
Only**FEC FORM 3X**  
Rev. 05/2016

**SUMMARY PAGE**  
**OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

**AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE**Report Covering the Period: From:  /  /  To:  /  / 

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, <input type="text" value="2022"/>		<input type="text" value="181679.35"/>
(b) Cash on Hand at Beginning of Reporting Period.....	<input type="text" value="142101.33"/>	
(c) Total Receipts (from Line 19) .....	<input type="text" value="7958.00"/>	<input type="text" value="49170.64"/>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	<input type="text" value="150059.33"/>	<input type="text" value="230849.99"/>
7. Total Disbursements (from Line 31) .....	<input type="text" value="0.00"/>	<input type="text" value="80790.66"/>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) .....	<input type="text" value="150059.33"/>	<input type="text" value="150059.33"/>
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D) .....	<input type="text" value="0.00"/>	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) .....	<input type="text" value="0.00"/>	

☒ This committee has qualified as a multicandidate committee. (see FEC FORM 1M)**For further information contact:**Federal Election Commission  
999 E Street, NW  
Washington, DC 20463Toll Free 800-424-9530  
Local 202-694-1100

**DETAILED SUMMARY PAGE**  
of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name

**AMERICAN PHARMACISTS ASSOCIATION POLITICAL ACTION COMMITTEE**

Report Covering the Period:

From:

M M / D D / Y Y Y Y  
10 20 2022

To:

M M / D D / Y Y Y Y  
11 28 2022**I. Receipts****COLUMN A**  
Total This Period**COLUMN B**  
Calendar Year-to-Date

## 11. Contributions (other than loans) From:

## (a) Individuals/Persons Other

Than Political Committees

(i) Itemized (use Schedule A).....

3142.00

17930.64

(ii) Unitemized .....

4816.00

31240.00

(iii) TOTAL (add

Lines 11(a)(i) and (ii).....▶

7958.00

49170.64

(b) Political Party Committees .....

0.00

0.00

(c) Other Political Committees

(such as PACs).....

0.00

0.00

(d) Total Contributions (add Lines

11(a)(iii), (b), and (c)) (Carry

Totals to Line 33, page 5) .....

7958.00

49170.64

## 12. Transfers From Affiliated/Other

Party Committees.....

0.00

0.00

## 13. All Loans Received .....

0.00

0.00

## 14. Loan Repayments Received.....

0.00

0.00

## 15. Offsets To Operating Expenditures

(Refunds, Rebates, etc.)

(Carry Totals to Line 37, page 5).....

0.00

0.00

## 16. Refunds of Contributions Made

to Federal Candidates and Other

Political Committees.....

0.00

0.00

## 17. Other Federal Receipts

(Dividends, Interest, etc.).....

0.00

0.00

## 18. Transfers from Non-Federal and Levin Funds

(a) Non-Federal Account

(from Schedule H3) .....

0.00

0.00

(b) Levin Funds (from Schedule H5) .....

0.00

0.00

(c) Total Transfers (add 18(a) and 18(b))..

0.00

0.00

19. Total Receipts (add Lines 11(d),  
12, 13, 14, 15, 16, 17, and 18(c)) .....

7958.00

49170.64

## 20. Total Federal Receipts

(subtract Line 18(c) from Line 19) .....

7958.00

49170.64

**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share .....	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures .....	0.00	4790.66
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b)) .....	0.00	4790.66
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	76000.00
24. Independent Expenditures (use Schedule E) .....	0.00	0.00
25. Coordinated Party Expenditures (52 U.S.C. § 30116(d)) (use Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees .....	0.00	0.00
(b) Political Party Committees .....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c)).....	0.00	0.00
29. Other Disbursements (Including Non-Federal Donations).....	0.00	0.00
30. Federal Election Activity (52 U.S.C. § 30101(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share .....	0.00	0.00
(ii) "Levin" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds .....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)) .....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	0.00	80790.66
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31).....	0.00	80790.66

**DETAILED SUMMARY PAGE**  
of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 5

III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3) .....	7958.00	49170.64
34. Total Contribution Refunds (from Line 28(d)) .....	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33) .....	7958.00	49170.64
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b)) .....▶	0.00	4790.66
37. Offsets to Operating Expenditures (from Line 15, page 3).....	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36) .....▶	0.00	4790.66





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 26, 2023

Shannon Morrison, in official capacity as Treasurer  
American Pharmacists Association Political Action Committee  
2215 Constitution Ave., NW  
Washington, DC 20037

C00193854  
AF# 4531

Dear Treasurer:

On February 24, 2023, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that American Pharmacists Association Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2022 Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$483 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess a civil money penalty. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. All written responses and supporting documentation should be converted to PDF (Portable Document Format) and must be emailed to the Commission Secretary at [secretary@fec.gov](mailto:secretary@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted responses will be deemed received on the date it is electronically received by staff. Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

*Rhiannon Magruder*

Rhiannon Magruder  
Reviewing Officer  
Office of Administrative Review

**RECEIVED**

By Office of the Commission Secretary at 8:06 am, Jun 14, 2023

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463**SENSITIVE**

June 14, 2023

**MEMORANDUM**

To: The Commission

Through: Alec Palmer *AP*  
Staff Director

From: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Rhiannon Magruder *RM*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 4531 – American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer (C00193854)

On February 24, 2023, the Commission found reason to believe (“RTB”) that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2022 Post-General Report and made a preliminary determination that the civil money penalty was \$483 based on the schedule of penalties at 11 C.F.R. § 111.43. On March 30, 2023, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer Recommendation (“ROR”) dated May 25, 2023 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference.

The Reviewing Officer recognized the Committee may have contracted with a vendor to file the report but noted the treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d). Further, failure to use filing software properly and delays caused by vendors are specifically included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents’ control. Therefore, the Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$483 civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their

challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The Committee has since indicated its intent to pay the civil money penalty.

### **OAR Recommendations**

1. Adopt the Reviewing Officer recommendation for AF# 4531 involving American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 4531 that American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$483 civil money penalty; and
3. Send the appropriate letter.



## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 4531  
 Final Determination Recommendation: )  
 American Pharmacists Association )  
 Political Action Committee and Shannon )  
 Morrison, in their official capacity as )  
 Treasurer (C00193854) )

CERTIFICATION

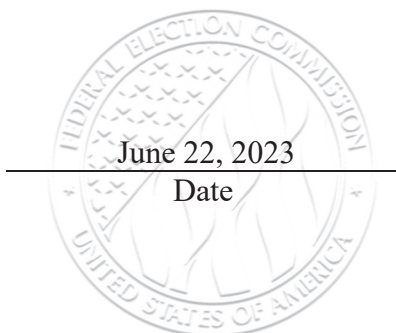
I, Vicktoria J. Allen, Deputy Secretary of the Federal Election

Commission, do hereby certify that on June 21, 2023, the Commission decided  
 by a vote of 6-0 to take the following actions in AF 4531:

1. Adopt the Reviewing Officer recommendation for AF# 4531 involving American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 4531 that American Pharmacists Association Political Action Committee and Shannon Morrison, in their official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$483 civil money penalty.
3. Send the appropriate letter.

Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

Attest:



**Vicktoria J Allen**

Digitally signed by Vicktoria J  
 Allen  
 Date: 2023.06.22 16:02:45  
 -04'00'

Vicktoria J. Allen  
 Deputy Secretary of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 28, 2023

Shannon Morrison, in official capacity as Treasurer  
American Pharmacists Association Political Action Committee  
2215 Constitution Avenue, NW  
Washington, DC 20037

C00193854  
AF# 4531  
\$483

Dear Shannon Morrison:

On February 24, 2023, the Federal Election Commission (the “Commission” or “FEC”) found reason to believe (“RTB”) that American Pharmacists Association Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2022 Post-General Report. By letter dated February 28, 2023, the Commission sent notification of the RTB finding that included a civil money penalty calculated at \$483 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On March 30, 2023, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission’s RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that American Pharmacists Association Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$483 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on May 26, 2023.

On June 21, 2023, the Commission adopted the Reviewing Officer’s recommendation and made a final determination that American Pharmacists Association Political Action Committee and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assessed a civil money penalty in the amount of \$483. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you must submit a written petition requesting that the final determination be modified or set aside. This request must be made within thirty (30) days of receipt of this letter and sent to the U.S. District Court for the district in which the committee or you reside or transact business. *See* 52 U.S.C. § 30109(a)(4)(C)(iii). If you did not timely raise a factual argument in a challenge to the Commission’s RTB finding, your right to present such an argument in an appeal to the U.S. District Court under 52 U.S.C. § 30109 shall be deemed waived. 11 C.F.R. § 111.38.

**2. If You Choose to Not Pay the Civil Money Penalty and to Not Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 (“DCA”), as amended by the Debt Collection Improvement Act of 1996 (“DCIA”), 31 U.S.C. § 3701, *et seq.* If you do not pay this debt within thirty (30) days and do not appeal the Commission’s final determination to the U.S. District Court (see above), the Commission will transfer the debt to the U.S. Department of the Treasury (“Treasury”) for collection. Treasury will contact you to request payment within five (5) days of the receiving the debt. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury’s attempts fail, Treasury will refer the debt to a private collection agency. If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken by Treasury to enforce recovery of a delinquent debt may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, please follow the payment instructions below. You should make payment within thirty (30) days of receipt of this letter.

You may remit payment by Automated Clearinghouse (“ACH”) withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government’s secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov’s Administrative Fine Program Payment form. Please use the details above to complete the required fields.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS****Partial Payments**

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

**Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission will be rejected. This includes a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll-free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read 'Dara Lindenbaum', with a stylized flourish at the end.

Dara Lindenbaum  
Chair