



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE

April 30, 2024

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
KDR

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

SUBJECT: Reason To Believe Recommendation – 2024 March Monthly Report for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2024 March Monthly Report in accordance with 52 U.S.C. § 30104(a). The March Monthly Report was due on March 20, 2024.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report [REDACTED] no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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
2024 MARCH MONTHLY Not Election Sensitive 03/20/2024 P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4699	C00038604	AMERICAN FINANCIAL SERVICES ASSOCIATION PAC		BILL HIMPLER	\$1,116,695	0	4/10/2024	21	\$73,495	\$3,325
4700	C00146605	FARMERS' RICE COOPERATIVE FUND		BILL TANIMOTO	\$186,796	5	3/26/2024	6	\$20,115	\$481
4701	C00431643	HILLSBOROUGH COUNTY REPUBLICAN EXECUTIVE COMMITTEE		PATRICK BAILEY	\$192,281	0		Not Filed	\$14,791 (est)	\$832

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Reason To Believe Recommendation - 2024)	
March Monthly Report for the)	
Administrative Fine Program:)	
AMERICAN FINANCIAL SERVICES)	AF# 4699
ASSOCIATION PAC, and HIMPLER,)	
BILL MR. as treasurer;)	
FARMERS' RICE COOPERATIVE FUND,)	AF# 4700
and TANIMOTO, BILL as treasurer;)	
HILLSBOROUGH COUNTY)	AF# 4701
REPUBLICAN EXECUTIVE)	
COMMITTEE, and BAILEY, PATRICK as)	
treasurer;)	

CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election Commission, do hereby certify that on May 02, 2024 the Commission took the following actions on the Reason To Believe Recommendation - 2024 March Monthly Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated April 30, 2024, on the following committees:

AF#4699 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN FINANCIAL SERVICES ASSOCIATION PAC, and HIMPLER, BILL MR. 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.

Federal Election Commission
Certification for Administrative Fines
May 2, 2024

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AF#4700 Decided by a vote of 6-0 to: (1) find reason to believe that FARMERS' RICE COOPERATIVE FUND, and TANIMOTO, BILL 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.

AF#4701 Decided by a vote of 6-0 to: (1) find reason to believe that HILLSBOROUGH COUNTY REPUBLICAN EXECUTIVE COMMITTEE, and BAILEY, PATRICK 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.



Attest:

Vicktoria J
Allen

Vicktoria J. Allen
Deputy Secretary of the Commission

Digitally signed by Vicktoria
J Allen
Date: 2024.05.02 17:19:19
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

AF

May 3, 2024

Bill Himpler, in official capacity as Treasurer
American Financial Services Association PAC
919 18th Street, NW
Suite 300
Washington, DC 20006

C00038604
AF#: 4699
FINE: \$3,325

Dear Bill Himpler,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a March Monthly Report of Receipts and Disbursements covering the period February 1, 2024 through February 29, 2024. This report shall be filed no later than March 20, 2024. 52 U.S.C. § 30104(a). Records at the Federal Election Commission (the "Commission" or "FEC") indicate that this report was filed on April 10, 2024, 21 days late.

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. § 30109g(a)(4). On May 2, 2024, the Commission found that there is reason to believe ("RTB") that American Financial Services Association PAC 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 March 20, 2024. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$3,325. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 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 CFR § 111.34. Your payment of \$3,325 is due within forty (40) days of the finding, or by June 11, 2024, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$73,495
Number of Days Late: 21
Number of Previous Civil Money Penalties Assessed: 0

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

AMERICAN FINANCIAL SERVICES ASSOCIATION PAC

Page 2 of 4

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. 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 June 11, 2024. 11 CFR § 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 CFR § 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 CFR § 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 CFR § 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 CFR § 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 CFR § 111.38.

It should also be noted that all challenges to an RTB finding and/or calculated civil money penalty should be converted to Portable Document Format ("PDF") and emailed to administrativefines@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 challenges will be deemed received on the date they are electronically received by staff.

AMERICAN FINANCIAL SERVICES ASSOCIATION PAC

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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 Financial Services Association PAC 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 CFR § 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 amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

AMERICAN FINANCIAL SERVICES ASSOCIATION PAC

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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 CFR § 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 on the toll-free number, (800) 424-9530 (at the prompt, press 5 to reach the Reports Analysis Division) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review on the 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, reading "Sean J. Cooksey". The signature is written in a cursive, flowing style.

Sean J. Cooksey
Chairman

RECEIVED

By Office of the Commission Secretary at 10:14 am, Oct 21, 2024



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE

October 21, 2024

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 *KDR*

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

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the 2024 March Monthly Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2024 March Monthly Report. The first list represents committees that have paid the civil money penalty and the second list represents a committee that has not paid the civil money penalty. The committee that has not paid has been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

RAD Recommendation

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

Federal Election Commission
FD Circulation Report Fine Paid
2024 MARCH MONTHLY Not Election Sensitive 03/20/2024 P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
4699	AMERICAN FINANCIAL SERVICES ASSOCIATION PAC		C00038604	BILL HIMPLER	04/10/2024	21	\$73,495	0	05/02/2024	\$3,325	\$3,325	05/17/2024	\$3,325
4700	FARMERS' RICE COOPERATIVE FUND		C00146605	BILL TANIMOTO	03/26/2024	6	\$20,115	5	05/02/2024	\$481	\$481	05/15/2024	\$481

Federal Election Commission
FD Circulation Report Fine Not Paid
2024 MARCH MONTHLY Not Election Sensitive 03/20/2024 P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
4701	HILLSBOROUGH COUNTY REPUBLICAN EXECUTIVE COMMITTEE		C00431643	PATRICK BAILEY	07/24/2024	*Not Filed	\$10,722	0	05/02/2024	\$832	172	\$832

* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Administrative Fine Program – Final)	
Determination Recommendation for the)	
2024 March Monthly Report:)	
AMERICAN FINANCIAL SERVICES)	AF# 4699
ASSOCIATION PAC, and HIMPLER,)	
BILL MR. as treasurer;)	
FARMERS' RICE COOPERATIVE FUND,)	AF# 4700
and TANIMOTO, BILL as treasurer;)	
HILLSBOROUGH COUNTY)	AF# 4701
REPUBLICAN EXECUTIVE)	
COMMITTEE, and BAILEY, PATRICK as)	
treasurer;)	

CERTIFICATION

I, Vicktoria J. Allen, Deputy Secretary of the Federal Election Commission, do hereby certify that on October 22, 2024 the Commission took the following actions on the Administrative Fine Program – Final Determination Recommendation for the 2024 March Monthly Report, as recommended in the Reports Analysis Division's Memorandum dated October 21, 2024, on the following committees:

AF#4699 Decided by a vote of 5-0 to: (1) make a final determination that AMERICAN FINANCIAL SERVICES ASSOCIATION PAC, and HIMPLER, BILL MR. in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

AF#4700 Decided by a vote of 5-0 to: (1) make a final determination that FARMERS' RICE COOPERATIVE FUND, and TANIMOTO, BILL in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.

Federal Election Commission
Certification for Administrative Fines
October 22, 2024

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AF#4701 Decided by a vote of 5-0 to: (1) make a final determination that HILLSBOROUGH COUNTY REPUBLICAN EXECUTIVE COMMITTEE, and BAILEY, PATRICK in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision. Commissioner Dickerson did not vote.



Attest:

Vicktoria J
Allen

Vicktoria J. Allen
Deputy Secretary of the Commission

Digitally signed by Vicktoria
J Allen
Date: 2024.10.22 16:28:33
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

AF

October 23, 2024

Bill Himpler, in official capacity as Treasurer
American Financial Services Association PAC
919 18th Street, NW
Suite 300
Washington, DC 20006

C00038604

AF#: 4699

Dear Bill Himpler,

On May 2, 2024, the Federal Election Commission ("the Commission" or "FEC") found reason to believe ("RTB") that American Financial Services Association PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2024 March Monthly Report. By letter dated May 3, 2024, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$3,325, in accordance with the schedule of penalties at 11 CFR § 111.43.

On May 17, 2024, the FEC received payment of the civil money penalty calculated at the RTB stage. The Commission made a final determination on October 22, 2024 that American Financial Services Association PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed a civil money penalty in the amount of \$3,325, in accordance with 11 CFR § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 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 Ben Holly on the toll-free number, (800) 424-9530 (at the prompt, press 5 to reach the Reports Analysis Division) or (202) 694-1130.

AMERICAN FINANCIAL SERVICES ASSOCIATION PAC

Page 2 of 2

On behalf of the Commission,

A handwritten signature in black ink, reading "Sean J. Cooksey". The signature is written in a cursive, flowing style with a large initial "S".

Sean J. Cooksey
Chairman