

RECEIVED

By Office of the Commission Secretary at 3:38 pm, Feb 28, 2024



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

SENSITIVE**MEMORANDUM**

February 29, 2024

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

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

Krista J. Roche *KJR*
Director, ADR Office

Rosa Marshall *RM*
Assistant Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement
ADR 1147 - Rodney for Congress and Thomas
Datwyler, Treasurer (C00521948)

RESOLUTION TERMS: Pay a \$43,475 civil penalty and work with Commission staff to terminate political committee status and reporting obligations.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 1147 (RAD 23L-59). The ADR Office received this referral from the Reports Analysis Division (RAD) on October 12, 2023.

SUMMARY: RAD referred Rodney for Congress and Thomas Datwyler, Treasurer (Respondents or the Committee) for failing to remedy excessive 2022 primary and general election contributions, totaling \$3,625.00, within the permissible timeframe. RAD additionally referred Respondents for receiving \$479,783.82 in 2022 general election contributions that were not refunded within the permissible timeframe after the candidate lost in the 2022 primary election. All contributions in the referral have been remedied, albeit untimely.

The Committee made efforts to rectify the excessive and impermissible general election contributions by disclosing refunds on its Amended 2022 October Quarterly and Amended 2022 Year End Reports. Further, on January 21, 2024, the Committee filed a Form 99 (Miscellaneous Electronic Submission) noting two clerical errors, which addressed the two (2) remaining contributions included in the referral. During negotiations, the Committee noted that it wishes to terminate its political committee status upon resolution of this matter.

RECOMMENDATIONS:

1. Approve the attached Negotiated Settlement of Rodney for Congress and Thomas Datwyler, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.