

24L-41

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: October 15, 2024

ANALYST: Nick Tarone

I. COMMITTEE: SFA Fund, Inc
C00828061
Katie Reid, Treasurer
1305 W 11th Street
Houston, TX 77008

II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(2)
11 C.F.R. § 104.4(b)(2)

III. BACKGROUND:

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

SFA Fund, Inc (“the Committee”) failed to timely file one (1) 48-Hour Report to support two (2) independent expenditures totaling \$266,672.67 disclosed on the 2023 Year-End Report, made during the reporting period up to and including the 20th day before the 2024 Primary Elections held in the states of Iowa and New Hampshire (Attachment 1).

On January 31, 2024, the Committee filed the [2023 Year-End Report](#) covering the period from July 1, 2023 through December 31, 2023. The report included a [Schedule E \(Itemized Independent Expenditures\)](#) disclosing two hundred and thirty-three (233) independent expenditures totaling \$61,031,629.32, made in support of or in opposition to four (4) Federal candidates. The Committee failed to file one (1) 48-Hour Report to support two (2) independent expenditures totaling \$266,672.67 for the 2024 Presidential Primary elections in Iowa and New Hampshire (Attachment 1).

On February 9, 2024, the Committee filed an [Amended 2023 Year-End Report](#). The amendment did not disclose any new independent expenditure activity.

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On March 20, 2024, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the Amended 2023 Year-End Report, received February 9, 2024. The RFAI noted the Committee may have failed to timely file one (1) or more of the required 48-Hour Reports of independent expenditures. A chart was included with the RFAI identifying two (2) independent expenditures totaling \$266,672.67, for which 48-Hour Reports had not been filed.¹

On April 24, 2024, the Committee filed an [FEC Form 99 \(Miscellaneous Electronic Submission\)](#) in response to the RFAI referencing the Amended 2023 Year-End Report, received February 9, 2024. The Committee stated, in part:

“After a thorough review of its records, the committee has determined that it did not report a disbursement to Shire Strategies LLC (disseminated on 9/1/23) within the 48-hour reporting window, due to an administrative oversight. This amount was not expended for a new communication but was instead an additional payment to extend the buy on existing digital advertising. This was a single disbursement reported as two entries to allocate to the correct state designations. The disbursement was made more than 20 days from an election and was not election sensitive.”

Additionally, on May 10, 2024, the Committee filed one (1) [48-Hour Report](#) to support two (2) independent expenditures, totaling \$266,672.67, and designated to the 2024 Presidential Primary elections in Iowa and New Hampshire, disseminated on September 1, 2023.

Since May 1, 2024, the Reports Analysis Division (RAD) logged six (6) communications with a representative of the Committee, which reflect efforts to help the Committee voluntarily comply with the Act in response to the matter referenced above. RAD was able to successfully connect with the Committee on five (5) of these occasions and notified Katie Reid, Treasurer, that the matter would be referred to another office at the Commission for further review (Attachment 2). To date, no further communications have been received from the Committee regarding this matter.

Filings and correspondence related to the Committee can be found here:
[SFA Fund, Inc.](#)

¹ The attached chart in the RFAI sent on March 30, 2024 did not include the state of the Presidential Primary election for each independent expenditure missing a 48-Hour Report. The chart in this referral includes the state and date for each Presidential Primary election referenced in the independent expenditures.

SFA Fund, Inc C00828061[2023 Amended Year-End Report, received 7/23/2024](#)

48-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election	48-Hour Report Filed
SHIRE STRATEGIES LLC	9/1/2023	\$162,092.00 <i>48-Hour Report Required</i>	HALEY, NIKKI	Iowa – 2024 Primary (1/15/2024)	5/10/2024
SHIRE STRATEGIES LLC	9/1/2023	\$104,580.67 <i>48-Hour Report Required</i>	HALEY, NIKKI	New Hampshire – 2024 Primary (1/23/2024)	5/10/2024