



FEDERAL ELECTION COMMISSION
Washington, DC 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 27, 2022

William Rodney Allen

Natchitoches, Louisiana 71457

RE: MUR 7491
American Ethane Co., LLC, *et al.*

Dear Mr. Allen:

This is in reference to the complaint you filed with the Federal Election Commission on August 31, 2018, concerning American Ethane Co., LLC (“American Ethane”). The Commission found that there was reason to believe American Ethane and John Houghtaling violated 52 U.S.C. § 30121(a)(1)(A) by making prohibited foreign national contributions and 52 U.S.C. § 30119(a) by making prohibited corporate contributions, provisions of the Federal Election Campaign Act of 1971, as amended, and conducted an investigation in this matter. On September 21, 2022, a conciliation agreement with American Ethane and Houghtaling regarding the corporate contribution violation was accepted by the Commission.

In addition, on June 22, 2022, the Commission split on a vote to dismiss the complaint allegations as to:

- Conservative Louisiana and Michele Reisner in her official capacity as treasurer;
- Mike Johnson for Louisiana and William Vanderbrook in his official capacity as treasurer;
- Bold Strategies LLC and Kyle Ruckert; and
- Konstantin Nikolaev.

The Commission closed the file on September 21, 2022. Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). A copy of the agreement with American Ethane is enclosed for your information. A Statement of Reasons will follow.

William Rodney Allen
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If you have any questions, please contact me at (202) 694-1548.

Sincerely,

Elena Paoli

Elena Paoli
Attorney

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)	
)	
American Ethane Co., LLC)	MUR 7491
John Houghtaling)	

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by William Rodney Allen. The Federal Election Commission found reason to believe that American Ethane Co., LLC and John Houghtaling (“Respondents”) violated 52 U.S.C. § 30118(a) by making corporate contributions.

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
- II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondents enter voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
 1. American Ethane Co., LLC, is a Louisiana corporation with its principal place of business in Houston, Texas. Its business is the exportation of ethane gas. John Houghtaling is American Ethane’s Chief Executive Officer and a part-owner of the company.
 2. American Ethane is taxed as a corporation.

3. In 2018, American Ethane made, with Houghtaling's consent, the following contributions:

Recipient	Date Issued	Amount
Bill Cassidy for US Senate	Jan. 29, 2018	\$1,000
	Mar. 31, 2018 (reported)	\$600
John Kennedy for US	April 3, 2018	\$8,100 (3 checks)
Pelican PAC (Leadership PAC)	April 3, 2018	\$5,000
Mike Johnson for Louisiana	April 3, 2018	\$6,100 (3 checks)
Garrett Graves for Congress	April 3, 2018	\$5,400
Scalise Leadership Fund	July 19, 2018 (reported)	\$10,000
Total		\$36,200

4. The Federal Election Campaign Act of 1971, as amended ("Act") and Commission regulations prohibit corporations from making contributions to political committees (other than an independent-expenditure-only political committee ("IEOPC")), in connection with a federal election. 52 U.S.C. § 30118(a); 11 C.F.R. § 114.2(b); Advisory Op. 2010-11 (Commonsense Ten) at 2-3. A corporation that is also a Limited Liability Company ("LLC") and elects to be treated as a corporation by the Internal Revenue Service shall be considered a corporation under the Commission's regulations. 11 C.F.R. § 110.1(g)(3). In addition, no officer or director of a corporation may consent to a corporate contribution to a federal candidate or their campaign. 52 U.S.C. § 30118(a).

5. American Ethane contends that it believed the above-referenced contributions were permissible based on an incorrect interpretation of the contribution rules as applied to LLCs.

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6. American Ethane made a total of \$36,200 in prohibited corporate contributions to federal candidates and committees. Houghtaling consented to American Ethane making the contributions at issue.

V. Respondents violated 52 U.S.C. § 30118(a) by making and consenting to making corporate contributions.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Commission in the amount of Nine Thousand Five Hundred Dollars (\$9,500) pursuant to 52 U.S.C. § 30109(a)(5)(A).
2. Respondents will cease and desist from violating 52 U.S.C. § 30118(a).
3. Respondents waive any rights it may have to a refund of any of the illegal contributions referred to in this agreement. To the extent it has not already done so, American Ethane shall seek disgorgement of all such funds from all recipient candidates and committees to the U.S. Treasury.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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X. This conciliation agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson
Acting General Counsel

BY: **Charles Kitcher**
Charles Kitcher
Associate General Counsel
for Enforcement

Digitally signed by
Charles Kitcher
Date: 2022.09.23
11:14:38 -04'00'

9/23/22
Date

FOR THE RESPONDENTS:



John Houghtaling, CEO
American Ethane Co., LLC

Aug. 10, 2022
Date